



cal, rebacked, corners worn, FIRST EDITION
names of two previous owners on title,
pages are rather browned, otherwise good and
tall copy, 1656

A.

4/6

Common-Wealth

OF

OCEANA.

*Tantalus a labris sitiens, fugientia captat
Flumina : quid rides? mutato nomine, de te
Fabula narratur.——* Hor.

L O N D O N,

Printed by *J. Streater*, for *Livewell Chapman*, and are to be sold at his Shop at
the *Crown* in *Popes-Head-Alley*,

1656.

THE

Continental

OF THE

Continental Congress
at Lancaster, Pa. 1777
The Continental Congress
at Lancaster, Pa. 1777

1777

Continental Congress
at Lancaster, Pa. 1777
Continental Congress
at Lancaster, Pa. 1777

THE
COMMON-VVEALTH
OF
Oceana.

Dedicated
To His HIGHNESSE

THE
Lord Protector
OF

The Common-Wealth of *England,*
Scotland, and Ireland.

By James Harrington.

THE LIFE OF

JOHN WILKINS

BY

JOHN WILKINS

OF

THE

ROYAL SOCIETY

OF

EDINBURGH

AND

OF

THE

ROYAL SOCIETY

OF

EDINBURGH

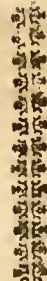
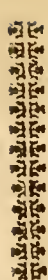
AND

OF

THE

ROYAL SOCIETY

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Epistle to the Reader.



SI R, If this Writing be not acceptable, here is already enough, and too much of it, but if it be, it is but a rough draught; for I have not been yet two years about it, nor ever saw all or halfe my Papers together: And now in the bringing them to light, they have been dispersed into three Presses, where because I could not be present at them all, I was present at none, by which means the weaknesse of my performance, hath been so strangely managed for the worse, that I am quite out of countenance at my worke, which the ensuing errors mended, will not be perfect, but not mended, is not to be understood: Wherefore let me intreat you before you cast away the time in beginning to read, that you mend the Faults according unto the ensuing Correſtions: Which done, I dare promise you that if I have not made you a good flight, I have sprung you the best Quarry: For though the Discourses be full of crudities, the Modell hath had perfect concoction.

Errors of the Impression Page. Line. To be thus Corrected.

INTRODUCTION.

Thee? thy.	1	4	Thee, the.
The Government.	2	36	That Government.
For shaking off the Yoake.	3	11	For shaking the Yoak.
The effects.	4	17	Those effects.

PRELIMINARYS.

Translation.	1	10	Transition.
Melius.	5	33	Melius.

<i>Comes.</i>	6	24	Come.
<i>First he holdeth.</i>	6	32	He holdeth.
<i>Circussians.</i>	8	45	Circassians.
<i>Governments.</i>	9	8	Government.
<i>Oposite.</i>	9	35	Opposed.
<i>Naturally.</i>	14	21	Maturely.
<i>Their ten.</i>	16	2	Thirteen.
<i>Talmudest.</i>	16	19	Talmudists.
<i>Of others.</i>	17	21	All other.
<i>The Senate.</i>	18	4	This Senate.
<i>Common-wealth.</i>	21	36	Common-wealths.
<i>And foundation.</i>	22	36	Or foundation.
<i>Superstruitions.</i>	22	36	Superstructures.
<i>Had no sufficient.</i>	26	38	Had sufficient.
<i>Distributed them into.</i>	32	24	Distributed into.
<i>Have overwhelmed.</i>	33	6	Overwhelmed.
<i>Vavosor.</i>	33	32	Vavasor.
<i>Mediately the Tentons.</i>	34	9	Mediately by the Teutons.
<i>Vavosor vavosory.</i>	35	13	Vavasor Vavasory.
<i>Vavosors vavosaryes.</i>	35	34	Vavasors vavasorys.
<i>The mighty creaturs.</i>	38	24	The mighty; creaturs.
<i>Freinds.</i>	40	8	Hiends.
<i>That makes.</i>	43	6	Makes.
<i>Mamalines.</i>	43	21	Mamaluc's.
<i>Through.</i>	43	32	Though.
<i>Corrupt: in a people.</i>	45	40	Corruption.
<i>That prudence of.</i>	46	4	That of.
<i>Had nothing.</i>	47	20	And had nothing.

M O D E L L

<i>Gnavan.</i>	56	24	Gnacion.
<i>Either the powr.</i>	57	2	The powre.
<i>Sense.</i>	57	4	Cense.
<i>Unto.</i>	57	5	Into.
<i>Be rang.</i>	60	35	Be rung.
<i>Of the Ballot.</i>	63	37	By the Ballott.
<i>The Hall.</i>	79	30	The Halo.
<i>A Knight a Deputy.</i>	79	36	A Knight or Deputy.
<i>Unto the same or any other.</i>	79	38	Into the Galaxy of the same or any other.
<i>Her ballance.</i>	86	1	Such a ballance.
<i>As.</i>	86	37	Is.
<i>This.</i>	89	14	His.
<i>The estate of the Citizen being as little capable of encrease, as that of the Common-wealth.</i>	91	13	The estate of the City be- ing as little capable of en- crease as that of the Citti- zen.

In the fifteenth Order, for the page is wrong marked-

For first Region, line 3. read Third Region. For third Region, line 4. read first Region. For received the first, line 5. read received the third.

Spread

Errors of the Impression.	Page.	Line.	To be thus Corrected.
Spread.	94	24	Had spread.
The.	101	23	This.
Or many.	104	29	Many.
Their children.	109	17	His children.
Their brocage.	109	19	His brocage.
The Romances.	110	7	Your Romances.
These.	112	4	Those.
The People.	112	13	That People.
Containe.	121	45	Continue.
Seale.	122	7	Seate.
Seale.	122	9	Seate.
Examined.	131	17	Perused.
Of the third.	140	13	Of the first.
Another.	140	32	Other.
Of Ballottine.	140	31	Or Ballottine.
The model.	143	15	This model.
Gentilman.	143	17	Gentilmen.
The agent.	143	19	Your agent.
Noblisse.	144	2	Noblesse.
Gothickes.	144	22	Gothicke.
A leur ayte.	145	20	A leur aise.
Deverte.	147	7	Devest.
That the Nobility be.	148	24	That the Nobility only be.
And.	150	6	For.
Stolo. d' Enyo.	151	17	Dolabella d' Enyo.
Later.	152	17	Late.
Ly they.	152	27	Lyes it.
The Galaxy.	153	10	Your Galaxy.
Provosts.	155	9	Our Provosts.
Nime.	155	35	Mine.
Dimicantes.	159	24	Demicantes.
Which.	164	27	And.
Not these.	170	33	Not these only.
Cornupedum.	172	12	Cornipedum.
The Common w:	173	24	Your Common w:
In the Prerogative.	176	19	In your Prerogative.
Porposed.	178	13	Proposed.
My.	178	24	May.
The Tribunes.	180	14	The Tribunes, if the case be criminal.
The Haukes.	187	27	Your Haukes.
In esset.	184	20	In isset.
Dieij.	187	22	Disci.
Of her Tapestry.	191	7	Of Tapestry.
To nothing.	197	28	For nothing.
And though.	198	14	Though.
Beane.	198	24	Beast.
Answare.	201	8	Reply.
Which.	202	18	What.
Amounts.	202	27	It amounts.
Pointed.	203	24	Appointed.
Waste.	204	2	The waste.
Urbane.	205	7	The Urbane.
Obtained.	205	18	Attained.
Meyfances.	205	34	Nuyfances.
Tribes.	205	41	Wards.

Errors of the Impression.	Page.	Line.	To be thus Corrected.
<i>Censors.</i>	206	19	Nine Censors.
<i>Priferred.</i>	206	33	Presented.
<i>Make.</i>	209	4	Making.
<i>That age.</i>	210	32	The age.
<i>Eſay.</i>	210	34	Essays.
<i>Their.</i>	218	14	These.
<i>Instance.</i>	220	22	I instance.
<i>And Polemarch.</i>	221	30	And a Polemarch.
<i>Flaminus.</i>	222	5	Flamines.
<i>Cuntry.</i>	222	14	Cuntrys.
<i>To the Elect.</i>	222	21	To Elect.
<i>The.</i>	223	6	Your.
<i>The.</i>	223	6	Your.
<i>They.</i>	223	11	When they.
<i>Religion.</i>	223	13	Religion.)
<i>Of State.)</i>	223	14	Of State.
<i>Du prete.</i>	224	2	Da prete.
<i>The Clergy,</i>	224	5	Your Clergy.
<i>Worke.</i>	227	26	Worſe.

A Mark. —

A Mark. —

A Mark. —

A Spanell queſting hath ſprung my Book out of one Preſſe into two other, wherefore you will find the Retrieve, or that which followes next, differently marked from what went before; and the Corollary from this.

R E T R I E V E.

<i>Rubs.</i>	157	16	Rub.
<i>Peice. As.</i>	157	20	peice, then.
<i>Of the world, which then.</i>	157	30	Of the world, then.
<i>Carkaffes.</i>	160	13	Carkaffe.
<i>Have.</i>	160	27	Leave.
<i>Have.</i>	160	29	Hath.
<i>(As the caſe ſtood with ſuch.)</i>	165	24	(As the caſe ſtood.)
<i>Be a Patronage.</i>	266	21	Be Patronage.
<i>The.</i>	270	22	Your.
<i>Charge.</i>	270	32	Change.
<i>The matters.</i>	270	32	Your matters.
<i>Your Legiſlators.</i>	281	26	The Legiſlators.
<i>To heare.</i>	283	15	Where.

C O R O L L A R Y.

<i>But whereas.</i>	191	2	And whereas.
<i>Or.</i>	191	25	Nor.
<i>The Traine being for.</i>	192	33	The Traine, for.
<i>Tue.</i>	195	39	Virtue.
<i>Out thine.</i>	195	40	Outſhine.
<i>Shall be.</i>	196	38	Be.
<i>Shall be.</i>	196	39	Be.
<i>Shall be.</i>	197	6	Be.
<i>Of.</i>	197	23	At.
<i>Pulce.</i>	197	35	Pulſe.
<i>Forth.</i>	200	8	For.
<i>Nor might.</i>	204	27	Not might that.
<i>Polymarches.</i>	206	24	Polemarches.
<i>Kiera.</i>	207	28	Hiera.
<i>Horfes.</i>	208	24	Forces.
<i>Deſtraktion.</i>	209	13	Deſteſtation.
<i>Syracuſans.</i>	209	37	Syracuſians.
<i>Is.</i>	210	12	As.
<i>Patre.</i>	211	1	Patricæ.
<i>The armes.</i>	233	17	Your armes.
<i>Calamity: whereupon.</i>	234	29	Calamity, whereupon.
<i>Captaines, Cornets.</i>	239	32	Captaines: Cornets.

The Introduction or Order of the Work.

Oceana is saluted by the Panegyrist after this manner; O the most blessed and fortunate of all Countreys Oceana! How deservedly hath Nature with the bounties of Heaven and Earth endued thee? thy ever fruitfull womb not closed with Ice, nor dissolved by the raging Star; where Ceres and Bacchus are perpetuall Twins. Thy woods are not the harbour of devouring beasts; nor thy continuall Verdure, the ambush of Serpents: but the food of innumerable herds and flocks presenting thee their Shepherdesse with distended dugs or Golden Fleeces. The wings of thy Night involve thee not in the horreur of darknesse, but have still some white feather, and thy Day is that for which we esteem life, the longest. But this Extasie of Plinie's (as is observed by Bertius) seemeth to allude as well unto *Marpesia* and *Panopea*, now Provinces of this Common-Wealth as unto *Oceana* herself.

Plinie's Description of
Oceana.

To speak of the people in each of these Countreys, this of *Oceana* for so soft an one, is the most martiall in the whole World. Let States that aym at greatnesse (saith Verulamius) take heed how their Nobility and Gentlemen do multiply too fast, for that maketh the common Subject grow to be a Peasant and base Swain driven out of heart, and in effect but a Gentlemans labourer: Even as you may see in Coppice woods, if you leave the Staddles too thick, you shall never have clean underwood, but shrubbs and bushes: So in Countries, if the Gentlemen be too many, the Commons will be base; and you will bring it to that, that not the hundredth pole will be fit for an Helmet; especially as to the Infantry which is the nerve of an Army, and so there will be great population and little strength. This which I speak of hath been no where better seen then by comparing of *Oceana* and France, whereof *Oceana* though far lesse in territory and population hath been neverthelesse an overmatch! in regard the middle people of *Oceana* make good Souldiers, which the Peasants in France do not. In which words, *Verulamius* (as *Machiavill* hath done before him) harps much upon a string which he hath not perfectly tuned, and that is the ballance of Dominion or Propriety: as it followeth more plainly in his praise of the profound and admirable device of *Panurgus* King of *Oceana*, in making Farms and houses of Husbandry of a Standard, that is, maintained with such a proportion of Land unto them, as may breed a Subject to live in convenient plenty, and no servile condition, and to keep the Plough in the hand of the owners, and not meer hirelings: and thus

The Nature
of the people:
Essay 29.

The Introduction.

indeed (saith he) you shall attain unto Virgil's Character which he gives of ancient Italy:

Terra potens armis atq; ubere gleba.

But the Tillage bringing up a good Souldiery, bringeth up a good Common-Wealth: which the Author in the praise of *Panurgus* did not mind, nor *Panurgus* in deserving that praise; for where the owner of the Plough comes to have the Sword too, he will use it in defence of his own; whence it hath happened, that the people of *Oceana* in proportion unto their propriety have been alwaies free; and the Genius of this Nation hath ever had some resemblance with that of antient *Italy*, which was wholly addicted unto Common-Wealths, and where *Rome* came to make the greatest accompt of her Rustick Tribes, and to call her Consuls from the Plough; for in the way of Parliaments, which was the Government of this Realm, men of Country Lives have been still intrusted with the greatest affairs, and the people have constantly had an aversion from the wayes of the Court, Ambition loving to be gay, and to sawn, hath been a gallantry looked upon as having something in it of the Livery, and Husbandry or the Country way of life, though of a grosser spinning, as the best stuffe of a Common wealth according unto *Aristotle*, (*Agriculturarum democratica respublica optima*) such an one being the most obstinate assertresse of her liberty, and the least subject unto innovation or turbulency: Wherefore till the foundations (as will be hereafter shewed) were removed, this people was observed to be the least subject unto shakings and turbulency of any: Whereas Common-wealths, upon which the City life hath had the stronger influence, as *Atheus*, have seldome or never been quiet, but at the best are found to have injured their own businesse by overdoing it. Whence the *Urbane* Tribes of *Rome* consisting of the *Turbasorensis*, Libertines that had received their freedom by manumission, were of no reputation in comparison of the Rusticks. It is true, that with *Venice* it may seem to be otherwise, in regard the Gentlemen (for so are all such called as have right unto the Government) are wholly addicted unto the City life: but then the *Turbasorensis*, the Secretaries, *citadini*, with the rest of the populacy are wholly excluded; otherwise a Common-wealth consisting but of one City, would doubtlesse be stormy, in regard that ambition would be every mans trade: but where it consisteth of a Country, the plough in the hands of the owner, findeth him a better calling, and produceth the most innocent and steddly Genius of a Common-wealth, such as is that of *Oceana*.

The Nature
of the *Mar-*
pesians.

Marpesia being the Northern part of the same Island, is
the

The Introduction.

the dry nurse of a populous and hardy people ; but where the Staddles have been formerly too thick : whence their courage answered not unto their hardinesse, except in the Nobility, who governed that Country much after the manner of *Poland*, save that the King was not elective, till the people received their liberty, the yoke of the Nobility being broken by the *Common-wealth* of *Oceana* : which in grateful return is thereby provided with an inexhaustible Magazeen of Auxiliaries : *Panopea*, the soft mother of a slothful and pusillanimous people, is a neighbour Island, anciently subjected by the Arms of *Oceana* ; since, almost depopulated for shaking off the Yoke, and at length replanted with a new Race. But (through what vertues of the soyl, or vice of the air soever it be) they come still to degenerate : wherefore seeing it is neither likely to yield men fit for Arms, nor necessary it should ; it had been the interest of *Oceana*, so to have disposed of this Province, being both rich in the nature of the soyl, and full of commodious Ports for Trade, that it might have been ordered for the best in relation unto her purse : Which in my opinion (if it had been thought upon in time) might have been best done by planting it with Jewes, allowing them their own Rites and Lawes, for that would have brought them suddainly from all parts of the World, and in sufficient numbers ; and though the Jewes benow altogether for Merchandize, yet in the Land of *Canaan* (since their exile from whence they have not been Landlords) they were altogether for agriculture ; and there is no cause why a man should doubt, but having a fruitfull Country and good Ports too, they would be good at both. *Panopea* well peopled, would be worth a matter of four millions dry rents, that is, besides the advantage of the agriculture and Trade, which with a Nation of that industry comes at least unto as much more. Wherefore *Panopea* being farm'd out unto the Jewes, and their heirs for ever, for the pay of a Provincial Army to protect them during the term of seven years, and for two millions annual revenue from that time forward ; besides, the Customs, which would pay the Provincial Army, would have been a bargain of such advantage, both unto them and this *Common-wealth*, as is not to be found otherwise by either. To receive the Jewes after any other manner into a *Common-wealth*, were to maim it : for they of all Nations never incorporate, but taking up the room of a Limb, are of no use or office unto the body, while they suck the nourishment which would sustain a natural and useful member.

If *Panopea* had been so disposed of, that Knapfack, with the *Marpesian* Auxilliary, had been an inestimable treasure ; the situation of these Countries being Islands, (as appeas by *Venice* how advantagious such an one is to the like Government)

The nature of
the *Pano-*
peas.

The Introduction.

Situation of
the Com-
mon-wealth
of *Oceana*.

seemeth to have been designed by God for a Common-wealth: and yet that through the streightnesse of the place; and defect of proper Arms, can be no more then a *Common-wealth* for preservation; whereas this reduced unto the like Government is a *Common-wealth* for encrease; and upon the mightiest foundation that any hath been laid from the beginning of the World unto this day.

(*Illam arēā capiens Neptunus compede stringit:
Hanc autem glaucis captus compleditur ulnis.*)

The Sea giveth law unto the growth of *Venice*; but the growth of *Oceana* giveth law unto the Sea.

These Countries having been anciently distinct and hostile Kingdoms, came by *Morpheus* the *Marpesian*, who succeeded by hereditary right unto the Crown of *Oceana*, not onely to be joyned under one head, but to be cast, as it were by a charm, into that profound sleep, which broken at the length by the Trumper of Civill War, hath produced the effects, that have given the occasion unto the ensuing Discourse, divided into Four Parts.

i. The

1. *The Preliminaries , shewing the Principles of Government.*
2. *The Councill of Legislators , shewing the Art of making a Common-Wealth.*
3. *The Modell of the Common-Wealth of Oceana, shewing the effect of such Art.*
4. *The Corollary , shewing some consequences of such a Government.*

The Preliminaries , shewing the Principles of Government.

J Anotti, the most excellent describer of the Common-wealth of Venice, divideth the whole Series of Government into two Times or Periods. The one ending with the liberty of Rome, which was the course or *Empire*, as I may call it, of *antient prudence*, first discovered unto mankind by God himself, in the fabrick of the *Common-wealth of Israel*, and afterward picked out of his footsteps in nature, and unanimously followed by the *Greeks* and *Romans*. The other beginning with the Arms of *Cesar* ; which extinguishing liberty were the Transition of *antient* into *modern prudence*, introduced by those inundations of *Huns*, *Goths*, *Vandalls*, *Lombards*, *Saxons*, which breaking the *Roman Empire*, deformed the whole face of the world, with those ill features of Government, which at this time are become far worse in these Western parts, except *Venice*, (which escaping the hands of the *Barbarians*, by vertue of her impregnable situation, hath had her eye fixed upon *antient Prudence* : and is attained to a perfection even beyond her Copy.)

Definitions of
Government.

Relation being had unto these two Times, Government (to define it (*de jure*), or according to *ancient Prudence*) is an Art whereby a Civil Society of men is instituted and preserved upon the foundation of common right or interest, or (to follow *Aristotle* and *Livy*) it is the *Empire of Lawes* and not of *Men*.

And Government (to define it (*de facto*) or according unto *modern Prudence*) is an Art whereby some man, or some few men, subject a City or a Nation, and rule it according unto his or their private interest: which, because the Lawes in such cases are made according to the interest of a man, or of some few Families, may be said to be the *Empire of Men*, and not of *Lawes*.

The former kind is that which *Machiavill* (whose Books are neglected) is the *only Politician* that hath gone about to retrieve: and that, *Leviathan* (who would have his Book imposed upon the *Universities*) goes about to destroy. For, It is (saith he) another error of *Aristotle's* *Politicks*, that in a well ordered *Common-wealth*, not *Men* should govern, but the *Lawes*: what man that hath his natural Senses, though he can neither write nor read, does not find himself governed by them he fears, and believes can kill or hurt him when he obeyeth not? or, who believes that the Law can hurt him, which is but words and paper, without the hands and swords of men? I confesse, that (*Magistratus est lex armata*) the Magistrate upon his Bench, is that unto the Law, which a Gunner upon his Platform is unto his Cannon. Neverthelesse I should not dare to argue with a man of any ingenuity, after this manner: An whole Army, though they can neither write nor read, are not afraid of a Platform, which they know is but Earth or Stone; nor of a Cannon, which without a hand to give fire unto it, is but cold Iron; therefore a whole Army is afraid of one man. But of this kind is the ratiocination of *Leviathan* (as I shall shew in divers places that come in my way) throughout his whole *Politicks*, or worse; as where he saith of *Aristotle* and of *Cicero*, of the *Greeks* and of the *Romans*, who lived under popular States, that they derived those rights not from the principles of Nature, but transcribed them into their books, out of the practice of their own *Common-wealths*, as *Grammarians* describe the rules of Language out of Poets. Which is as if a man should tell famous *Hervey*, that he transcribed his Circulation of the blood, not out of the Principles of Nature, but out of the Anatomy of this or that body.

To go on therefore with this Preliminary Discourse: I shall divide it according unto the two definitions of Government relating unto *Janotty's* two Times), into two parts: the first treating of the Principles of Government in general, and according to the Ancients; the second treating of the late Governments

vernments of *Oceana* in particular, and in that of *Modern Prudence*,

Government, according to the Antients, and their learned Disciple *Machiavill*, (the onely Politician of later Ages) is of three kinds; The Government of *One man*, or of the *better sort*, or of the *whole people*: which by their more learned names are called *Monarchy*, *Aristocracy*, and *Democracy*; these they hold, through their pronesse to degenerate, to be all *evill*. For whereas they that govern, should govern according to reason; if they govern according unto passion, they do that which they should not do: Wherefore as reason and passion are two things, so Government by Reason is one thing, and the corruption of Government by Passion is another thing, but not alwaies another Government; as a body that is alive is one thing, and a body that is dead is another thing, but not alwaies another Creature, though the corruption of one come at length unto the generation of another. The corruption then of *Monarchy* is called *Tyranny*; that of *Aristocracy*, *Oligarchy*; and that of *Democracy*, *Anarchy*. But *Legislators* having found these three Governments at the best to be naught, have invented another consisting of a mixture of them all, which onely is good; this is the doctrine of the *Ancients*.

Division of
Government;

But *Leviathan* is positive, that they are all deceived, and that there is no other Government in Nature then one of the three; as also that the flesh of them cannot stink, the names of their corruptions being but the names of mens phansies; which will be understood when we are shown which of them was *Senatus Populusq; Romanus*.

To go mine own way, and yet to follow the Ancients: The Principles of Governments are twofold, *Internal*, or the goods of the *Mind*; and *External*, or the goods of *Fortune*. The goods of the mind are natural or acquired virtues, as *Wisdom*, *Prudence* and *Courage*, &c. The goods of *Fortune* are *Riches*. There be goods also of the *Body*, as *Health*, *Beauty*, *Strength*, but these are not to be brought unto account upon this score, because if a man or an Army acquire *Victory* or *Empire*, it is more from their *Discipline*, *Arms*, and *Courage*, then from their natural health, beauty, or strength, in regard that a people conquered may have more of natural strength, beauty and health, and yet find little remedy. The Principles of Government then are in the goods of the *mind*, or in the goods of *fortune*. To the goods of the *mind*, answers *Authority*; to the goods of *fortune*, *Power* or *Empire*. Wherefore *Leviathan*, though he be right where he saith, that *Riches* are *Power*; is mistaken where he saith, that *Prudence*, or the reputation of *Prudence* is *power*: for the learning or prudence of a man is no more power, then the learning or prudence of a book or Authour,

Goods of the
Mind and of
Fortune.

Empire and
Authority.

which is properly Authority ; a learned Writer may have authority though he have no power ; and a foolish Magistrate may have power, though he have otherwise no esteem or authority ; the difference of these two is observed by *Livy* in *Evander*, of whom saith he, (*regebat magis Autoritate quàm Imperio*) he ruled rather by authority than power.

Empire. To begin with Riches, in regard that men are hung upon these, not of choice as upon the other, but of necessity and by the teeth : for as much as he who wanteth bread, is his servant that will feed him : if a man thus feed an whole people, they are under his Empire.

Division of Empire. Empire is of two kinds, *Domestick* and *National*, or *Forrain* and *Provinciall*.

Dominion. *Domestick Empire* is founded upon *Dominion*.

Domestick Empire. Dominion is Propriety reall or personall, that is to say, in Lands, or in money and goods.

Ballance in Lands. Lands, or the parts and parcels of a Territory, are held by the Proprietor or Proprietors, Lord or Lords of it, in some proportion ; and such (except it be in a City that hath little or no Land, and whose revenue is in Trade) as is the proportion or ballance of dominion or property in Land, such is the nature of the *Empire*.

Absolute Monarchy. If one man be sole Landlord of a Territory, or overballance the people, for example, three parts in four, he is Grand Signior: for so the Turk is called from his *Property*; and his *Empire* is absolute *Monarchy*.

Mixed Monarchy. If the Few or a Nobility, or a Nobility with the Clergy be Landlords, or overballance the people unto the like proportion, it makes the *Gothick* ballance (to be shewn at large, in the second part of this Discourse) and the *Empire* is mixed *Monarchy*, as that of *Spain*, *Poland*, and late of *Oceana*.

Popular Government. And if the whole people be Landlords, or hold the Lands so divided among them, that no one man, or number of men, within the compasse of the *Few* or *Aristocracy*, overballance them, the *Empire* (without the interposition of force) is a *Commonwealth*.

Tyranny. If force be interposed in any of these three cases, it must either frame the Government unto the foundation, or the foundation unto the Government ; or holding the Government not according unto the ballance, it is not natural, but violent : and therefore if it be at the devotion of a *Prince*, it is *Tyranny*; if at the devotion of the *Few*, *Oligarchy*; or if in the power of the *People*, *Anarchy*: each of which confusions, the ballance standing otherwise, is but of short continuance ; because against the nature of the ballance, which not destroyed, destroyeth that which opposeth it.

But there be certain other confusions, which being rooted in the

the ballance are of longer continuance, and of greater horror; as first, where a Nobility holdeth half the Property, or about that proportion, and the people the other half; in which case without altering the ballance, there is no remedy but the one must eat out the other: as the people did the *Nobility* in *Athens*, and the *Nobility* the people in *Rome*. Secondly, when a Prince holdeth about half the Dominion, and the people the other half, which was the case of the *Roman Emperours*, planted partly upon their military Colonies, and partly upon the Senate and the people, the Government becometh a very shambles both of the Princes and the people. Somewhat of this nature are certain Governments at this day; which are said to subsist by confusion. In this case to fix the ballance is, to entail misery: But in the three former not to fix it is, to loose the Government. Wherefore it being unlawfull in *Turky*, that any should possesse Land but the Grand Signior, the ballance is fixed by the *Law*, and that *Empire* firm. Nor, though the Kings often fell, was the Throne of *Oceana* known to shake, untill the Statute of *Alienations* broke the pillars, by giving way unto the Nobility to sell their Estates, (*Si terra recedat, Jonium & Egæo frangat mare.*) *Lacedemon* while she held unto her division of Land made by *Lycurgus*, was immoveable, but breaking that, could stand no longer. This kind of Law fixing the ballance in Lands is called *Agrarian*, and was first introduced by *God himself*, who divided the Land of *Canaan* unto his people by Lots, and is of such virtue, that where ever it hath held, that Government hath not alter'd, except by consent: as in that unparallell'd example of the people of *Israel*, when being in liberty they would needs choose a King. But without an *Agrarian*, Government whether Monarchical, Aristocratically, or Popular, hath no long Lease.

For Dominion personal or in money, it may now and then stir up a *Melius* or a *Manlius*, which if the *Common-wealth* be not provided with some kind of *Dictatorian* power, may be dangerous, though it have been seldom or never successfull: because unto propriety producing Empire, it is required that it should have some certain root or foot-hold, which, except in Land, it cannot have, being otherwise as it were upon the wing.

Neverthelesse, in such Cities as subsist most by Trade, and have little or no Land as *Holland* and *Genoa*; the ballance of *money*, *Treasure* may be equal unto that of Land in the cases mentioned.

But *Leviathan*, though he seem to scew at Antiquity; following his furious Master *Carneades*, hath caught hold of the publick sword, unto which he reduceth all manner and matter of Government; as, where he affirms, *this opinion*, (*that Page 89.*
any

any Monarch receiveth his power by Covenant, that is to say, upon conditions) to proceed from the not understanding the easie truth, That covenants being but words and breath, have no power to oblige, contain, constrain or protect any man, but what they have from the publick sword. But as he said of the Law, that without this sword it is but paper; so he might have thought of this sword, that without an hand it is but cold iron. The hand which holdeth this sword is the Militia of a Nation; and the Militia of a Nation, is either an Army in the field, or ready for the field upon occasion. But an Army is a beast that hath a great belly and must be fed; wherefore this will come unto what pastures you have, and what pastures you have will come unto the ballance of propriety, without which the publick sword is but a name or meer spit-frog. Wherefore to set that which Leviathan saith of Arms and of Contracts a little streighter; he that can graze this beast with the great belly, as the Turk doth his *Timariots*, may well deride him that imagines he received his power by covenant, or is obliged unto any such toy: it being in this case onely that covenants are but words and breath. But if the propriety of the Nobility stocked with their Tenants and retainers be the pasture of that beast, the Ox knowes his Masters Crib; and it is impossible for a King in such a constitution, to raigne otherwise then by Covenant; or if he break it, it is words that comes to blowes.

Arms and
Contracts.

Page 90.

But, saith he, when an Assembly of men is made Sovereign, then no man imagineth any such Covenant to have past in the Institution. but what was that by *Publicola*, of appeal unto the people, or that whereby the people had their Tribunes? Ey, saith he, Nobody is so dull as to say, that the People of Rome made a Covenant with the Romans, to hold the Sovereignty on such or such conditions; which not performed, the Romans might depose the Roman people. In which there be remarkable things; for ~~but~~ he holdeth the Common-wealth of Rome to have consisted of one assembly, whereas it consisted of the Senate and the People; That they were not upon covenant, whereas every Law enacted by them was a covenant between them. That the one Assembly was made Sovereign, whereas the people who onely were Sovereign, were such from the beginning, as appears by the ancient style of their Covenants or Laws (*censuere Patres, jussit Populus*): That a Councill being made Sovereign, cannot be made such upon conditions; whereas the *Decemviri* being a Council that was made Sovereign, was made such upon conditions. That all conditions or covenants making a Sovereign, the Sovereign being made, are void; whence it must follow, that the *Decemvirs* being made, were ever after the lawful Government of Rome, and that it was unlawful for the Common-wealth of Rome to depose the *Decemvirs*: as also that *Cicero*, if he wrote otherwise out of his Common-wealth, did not write out of Nature.

Page. 89.

Nature. But to come unto others that see more of this ballance.

You have *Aristotle* full of it in divers places, especially where he saith, that *Immoderate wealth, as where One man or the Few have greater possessions than equality or the frame of the Common-wealth will bear, is an occasion of Sedition, which ends for the greater part in Monarchy; and that for this cause the Ostracisme hath been received in divers places, as in Argos and Athens. But that it were better to prevent the growth in the beginning, then, when it hath gotten head, to seek the remedy of such an evil.* B. 5. 3. 3. 9.

Machiavill hath missed it very narrowly and more dangerously, for not fully perceiving, that if a Common-wealth be galled by the Gentry, it is by their overballance; he speaks of the Gentry as hostile to popular Governments, and of popular Governments as hostile unto the Gentry; and makes us believe, that the people in such are so enraged against them, that where they meet a Gentleman they kill him; which can never be proved by any one example, unlesse in civill Warr; seeing that even in *Switz* the Gentry are not onely safe, but in honour. But the ballance as I have laid it down, though unseen by *Machiavill*, is that which interpreteth him, and that which he confirmeth by his Judgment in many other as well as in this place, where he concludes, *That he who will go about to make a Common-wealth where there be many Gentlemen, unlesse he first destroy them, undertakes an impossibility: and that he who goes about to introduce Monarchy where the condition of the people is equal, shall never bring it to passe, unlesse he call out such of them as are the most turbulent and ambitious, and make them Gentlemen or Noblemen, not in name but in effect, that is, by enriching them with Lands, Castles, and Treasures, that may gain them power amongst the rest, and bring in the rest unto dependence upon themselves, to the end that they maintaining their ambition by the Prince, the Prince may maintain his power by them.* D. B. 1. C. 55.

Wherefore as in this place I agree with *Machiavill*, that a Nobility or Gentry overballancing a popular Government, is the utter bane and destruction of it; so I shall shew in another, that a Nobility or Gentry in a popular Government not overballancing it, is the very life and soul of it.

By what hath been said, it should seem that we may lay aside farther disputes of the publick Sword, or of the right of the Militia; which, be the Government what it will, or let it change how it can, is inseparable from the overballance in dominion: nor, if otherwise stated by the Law or Custome as in the Common-wealth of *Rome* (*Consules sine lege Curiata rem militarem attingere non potuerunt*) where the people having the sword, the Nobility came to have the overballance; availeth it unto other end than destruction: for as a building swaying from The right of the Militia stated.

from the foundation must fall, so the Law swaying from reason, and the Militia from the ballance of *Dominion*. And so much for the ballance of *Nationall* or *Domestick Empire* which is in *Dominion*.

Ballance of
forraign
Empire.

The ballance of Forraign or Provincial Empire is of a contrary nature. A man may as well say that it is unlawfull for him who hath made a fair and honest purchase to have tenants, as for a Government that hath made a just progresse, and enlargement of it self, to have Provinces. But how a Province may be justly acquired, appertaineth to another place; in this I am to shew no more, then how or upon what kind of ballance it is to be held; in order whereunto, I shall first shew upon what kind of ballance it is not to be held. It hath been said, that *National* or *Independent Empire*, of what kind soever, is to be exercised by them that have the proper *ballance of Dominion* in the Nation; wherefore *Provincial* or dependent Empire is not to be exercised by them that have the *ballance of Dominion* in the Province, because that would bring the Government from *Provinciall* and *dependent*, to *National* and *independent*. *Absolure Monarchy*, as that of the *Turks*, neither planteth her people at home nor abroad, otherwise then as Tenants for life or at will; wherefore her *National* and her *provincial* Government is all one. But in Governments that admit the Citizen or Subject unto dominion in Lands, the richest are they that share most of the power at home: whereas the richest among the Provincials, though native Subjects, or Citizens that have been transplanted, are least admitted to the Government abroad: for men like flowers or roots being transplanted take after the soyl wherein they grow. Wherefore the Commonwealth of *Rome*, by planting *Colonies* of her Citizens within the bound of *Italy*, took the best way of propagating her self, and naturalizing the Country; whereas if she had planted such Colonies without the bounds of *Italy*, it would have alien'd the Citizens, and given a root unto liberty abroad, that might have sprung up forraign or savage and hostile to her; wherefore she never made any such dispersion of her self and her strength, till she was under the yoke of her *Emperours*, who disburdening themselves of the people, as having lesse apprehension of what they could do abroad then at home, took a contrary course.

The *Mameluc's*, (which till any man shew me the contrary, I shall presume to have been a Commonwealth consisting of an Army, whereof the common Souldier was the People, the Commission-Officer the Senate, and the General the Prince) were forraigners, and by Nation *Circassians*, that govern'd *Egypt*; wherefore these never durst plant themselves upon *Dominion*, which growing naturally up into the *National* interest,

terest must have dissolved the forraign yoke in that Province.

The like in some sort may be said of *Venice*, the Government whereof is usually mistaken: for *Venice*, though she do not take in the people, never excluded them. This *Common-wealth*, the Orders whereof are the most *Democratical* or *Popular* of all others, in regard of the exquisite *Rotation* of the *Senate*, at the first institution took in the *whole people*; they that now live under the Government without participation of it, are such as have since either voluntarily chosen so to do, or were subdued by Arms. Wherefore the Subject of *Venice* is governed by *Provinces*, and the ballance of *Dominion* not standing, as hath been said, with Provincial Government: as the *Mamaluc's* durst not cast their Government upon this ballance in their *Provinces*, lest the *National* interest should have rooted out the *forraign*; so neither dare the *Venetians* take in their Subjects upon this ballance, lest the *forraign* interest should root out the *Nationall*, which is that of the 3000 now governing; and by diffusing the *Common-Wealth* throughout her Territories, lose the advantage of her *situation*, by which in a great part she subsisteth. And such also is the Government of the *Spaniard* in the *Indies*, unto which he deputeth Natives of his own Country, not admitting the *Creolios* unto the Government of those *Provinces*; though descended from *Spaniards*.

But if a *Prince* or a *Common-wealth* may hold a Territory that is *forraign* in this, it may be asked, why he may not hold one that is *Native* in like manner? To which I answer, because he can hold a *forreign* by a *Native* territory, but not a *Native* by a *Forreign*; and as hitherto I have shewn what is not the *Provinciall ballance*, so by this answer it may appear what it is, namely the *overballance* of a native Territory to a *forraign*; for as one Country ballanceth it self by the distribution of propriety according unto the proportion of the same, so one Country overballanceth another, by advantage of divers kinds. For example, the *Common-wealth* of *Rome* overballanced her *provinces* by the vigour of a more excellent Government opposite unto a crazier, or by a more exquisite *Militia* opposite unto one inferiour in Courage or discipline: *since* The like was that of the *Mamaluc's* being an hardy, unto the *Aegyptians* that were a soft people. And the ballance of a situation is in this kind, of wonderfull effect; seeing the *King* of *Denmark*, being none of the most potent *Princes*, is able at the *Sound* to take Tole of the greatest; and as this *King* by the advantage of the *Land* can make the *Sea* tributary; so *Venice*, by the advantage of the *Sea*, in whose arms she is impregnable, can make the *Land* to feed her *Gulph*. For the Colonies in the *Indies*, they are yet babes that cannot live without sucking the breasts of their mother-Cities, but such as, I mistake, if when they come of age they do not wean themselves: which causeth me to wonder at *Princes* that delight to be exhausted in that way. And

so much for the principles of power whether *National* or *Provinciall*, *Domestick* or *Forraign*; being such as are *External*, and founded in the goods of *Fortune*.

Authority.

Eccl. 10.

15.

Tacit.

Grot.

I come unto the principles of *Authority*, which are *Internall*, and founded upon *the goods of the Mind*; These the *Legislator* that can unite in his Government with those of fortune, cometh nearest unto the work of *God*, whose Government consisteth of *Heaven* and *Earth*: which was said by *Plato*, though in different words, as, when *Princes* should be *Philosophers*, or *Philosophers* *Princes*, the world would be happy; and saith *Solomon*, *There is an evil which I have seen under the Sun, which proceedeth from the Ruler, (enimvero neq; nobilem, neq; ingenuum, nec libertinum quidem armis præponere, regia utilitas est,)* folly is set in great dignity, and the rich (either in virtue and wisdom, in the goods of the mind, or those of fortune upon that ballance which giveth them a sense of the *Nationall* interest) sit in low places. I have seen servants upon horses, and Princes walking as servants upon the earth. Sad complaints, that the principles of *Power* and of *Authority*, the goods of the mind, and of fortune, do not meet and twine in the wreath or *Crown* of *Empire*! Wherefore if we have any thing of *Piety* or of *prudence*, let us raise our selves out of the mire of private interest, unto the contemplation of *Virtue*, and put an hand unto the removal of *this Evil from under the Sun*; this evil against which no Government that is not secured, can be good; this evil from which the Government that is secure, must be perfect. *Solomon* tells us, that the cause of it is from the *Ruler*, from those principles of power which ballanced upon earthly trash, exclude the heavenly treasures of *Virtue*, and that influence of it upon Government, which is *Authority*. We have wandered the *Earth* to find out the ballance of power: but to find out that of *Authority*, we must ascend, as I said, nearer *Heaven*, or to the *Image* of *God*, which is the *Soul* of man.

The Soul of man (whose life or motion is perpetual contemplation or thought) is the *Mistress* of two potent rivalls, the one *Reason*, the other *Passion*, that are in continuall suit; and according as she gives up her will to these or either of them, is the felicity or misery which man partakes in this mortal life.

For as what ever was *passion* in the contemplation of a man, being brought forth by his will into action, is *vice* and the bondage of *Sin*; so what ever was *reason* in the contemplation of a man, being brought forth by his will into action, is *virtue* and the freedom of *Soul*.

Again, as those actions of a man that were *sin*, acquire unto himself repentance or shame, and affect others with scorn or pity;

so those *actions* of a man that are *virtue*, acquire unto himself *Honour*, and upon others *Authority*.

Now Government is no other then the Soul of a Nation or City: wherefore that which was *reason* in the *debate* of a *Common-wealth*, being brought forth by the *result*, must be *virtue*; and for as much as the Soul of a City or Nation is the *Sovereign power*, her *virtue* must be *Law*. But the *Government* whose *Law* is *virtue*, and whose *virtue* is *law*, is the same, whose *Empire* is *Authority*, and whose *Authority* is *Empire*.

Again, if the liberty of a man consist in the *Empire* of his *reason*, the absence whereof would betray him unto the *bondage* of his *passions*: Then the *liberty* of a *Common-wealth* consisteth in the *Empire* of her *Lawes*, the absence whereof would betray her unto the *lusts* of *Tyrants*: and these I conceive to be the *principles*, upon which *Aristotle* and *Livy* (injuriously accused by *Leviathan* for not writing out of nature) have grounded their assertion, that a *Common-wealth* is an *Empire* of *Lawes* and not of *Men*. But they must not carry it so. For, saith he, *The* Page 110.
liberty, whereof there is so frequent and honourable mention in the *Histories* and *Philosophy* of the ancient *Greeks* and *Romans*, and the *writings* and *Discourses* of these that from them have received All their *Learning* in the *Politicks*, is not the *liberty* of particular men, but the *liberty* of the *Common-wealth*. He might as well have said, that the *Estates* of particular men in a *Common-wealth*, are not the riches of particular men, but the riches of the *Common-wealth*; for equality of estates causeth equality of power, and equality of power is the *liberty* not onely of the *Common-wealth*, but of every man. But sure a man would never be thus irreverent with the greatest Authors, and positive against all Antiquity, without some certain demonstration of truth; and, what is it? Why, there is written on the *Turrets* of the City of *Luca* in great Characters at this day the word *LIBERTAS*, yet no man can thence infer, that a particular man hath more liberty or immunity from the service of the *Common-wealth* there, then in *Constantinople*. whether a *Common-wealth* be *Monarchical* or *Popular*, the freedom is the same. The *Mountain* hath brought forth, and we have a little equivocation! For to say, that a *Luchese* hath no more liberty or immunity from the *Laws* of *Luca*, then a *Turk* hath from those of *Constantinople*; and to say that a *Luchese* hath no more liberty or immunity by the *Lawes* of *Luca*, then a *Turk* hath by those of *Constantinople*, are pretty different speeches: the first may be said of all Governments alike; the second scarce of any two; much lesse of these; seeing it is known, that whereas the greatest *Bashaw* is a *Tenant* as well of his head, as of his estate, at the will of his Lord; the meanest *Luchese* that hath Land, is a *freeholder* of both, and not to be controlled but by the *Law*, and that framed by every private
man

man unto no other end, (or they may thank themselves) then to protect the liberty of every private man, which by that means comes to be the liberty of the Common-wealth.

But seeing they that make the Lawes in *Common-wealths* are but men, the main question seems to be, how a *Common-wealth* comes to be an Empire of Lawes, and not of Men? or how the debate or result of a *Common-wealth* is so sure to be according unto reason; seeing they who *debate*, and they who *resolve* be but men. And as often as reason is against a man, so often will a man be against reason.

This is thought to be a shrewd saying, but will do no harm; for be it so, that reason is nothing but interest, there be divers interests, and so divers reasons.

As first, there is *Private Reason*, which is the interest of a *private man*.

Secondly, there is *Reason of State*, which is the interest (or error as was said by Solomon) of the Ruler or Rulers, that is to say, of the Prince, of the Nobility, or of the People.

Hooker.B.I. Thirdly, there is that Reason which is the interest of mankind, or of the whole. Now if we see even in those natural agents that want sense, that as in themselves they have a Law which directeth them, in the means whereby they tend to their own perfection, so likewise that another Law there is, which toucheth them as they are sociable parts united into one body, a Law which bindeth them each to serve unto others good, and all to prefer the good of the whole, before whatsoever their own particular; as when stones or heavy things forsake their ordinary wont or center, and fly upwards, as if they heard themselves commanded to let go the good they privately wish, and to relieve the present distresse of Nature in common. There is a common right, Law of Nature, or interest of the whole; which is more excellent, and so acknowledged to be by the agents themselves, then the right or interest of the parts onely. wherefore though it may be truly said, that the creatures are naturally carried forth, unto their proper utility or profit: that ought not to be taken in too general a sense; seeing divers of them abstain from their own profit, either in regard of those of the same kind, or at the least of their young.

Grot.

Mankind then must either be lesse just then the creature, or acknowledge also his common interest to be common right. And if reason be nothing else but interest, and the interest of mankind be the right interest, then the reason of mankind must be right reason. Now compute well, for if the interest of popular Government come the nearest unto the interest of mankind, then the reason of popular Government must come the nearest unto right reason.

But it may be said, that the difficulty remains yet; for be the interest of popular Government right reason, a man doth not look

look upon *reason* as it is *right* or *wrong* in it self, but as it makes for him or against him: wherefore unlesse you can shew such *orders* of a *Government*, as like those of *God* in *nature* shall be able to constrain this or that *creature* to shake off that *inclination* which is more peculiar unto it, and take up that which regards the *common good* or *interest*; all this is to no more end; then to perswade every man in a *popular Government*, not to carve himself of that which he desires most, but to be mannerly at the publick Table, and give the best from himself unto decency and the *common interest*. But that such *orders* may be established, as may, nay must give the upper hand in all cases unto *common right* or *interest*, notwithstanding the nearnesse of that which sticks unto every man in private, and this in a way of equal certainty and facility, is known even unto *girles*, being no other then those that are of common practice with them in divers cases. For example, two of them have a Cake yet undivided, which was given between them, that each of them therefore may have that which is due: Divide, sayes one unto the other, and I will choose; or let me divide; and you shall choose: if this be but once agreed upon; it is enough: for the dividant, dividing unequally loses, in regard that the other takes the better half; wherefore she divides equally, and so both have right. O the depth of the wisdom of God! and yet by the mouthes of babes and sucklings hath he set forth his strength; that which great *Philosophers* are disputing upon in vain, is brought unto light by two silly girles; even the whole mystery of a *Common-wealth*: which lyes only in dividing and choosing: nor hath God (if his works in nature be understood) left so much unto mankind to dispute upon, as who shall divide, and who choose, but distributed them for ever into two *orders*, whereof the one hath the naturall right of dividing, and the other of choosing. For Example:

A *Common-wealth* is but a civill Society of men: let us take any number of men (as twenty); and forthwith make a *Common-wealth*: twenty men (if they be not all ideots, perhaps if they be) can never come so together, but there will be such difference in them, that about a *third* will be *wiser*, or at least *lesse foolish* then all the rest; these upon acquaintance though it be but small, will be discovered, and (as Stags that have the largest heads) lead the herd; for while the *six* discoursing and arguing one with another, shew the eminence of their parts, the *fourteen* discover things that they never thought on; or are cleared in divers truths which had formerly perplexed them: wherefore in matter of common concernment, difficulty or danger, they hang upon their lips as *children* upon their fathers, and the *influence* thus acquired by the *six*, the eminence of whose parts, is found to be a stay and comfort to the

The orders of
popular Government in
Nature.

Deut. I. 13.

naturally

The People.

the fourteen, is (AUTHORITAS PATRUM) the authority of the Fathers. Wherefore this can be no other then a *natural Aristocracy* diffused by God throughout the whole body of mankind, to this end and purpose; and therefore such, as the people, have not only a natural, but a positive obligation to make use of as their guides; as where the people of Israel are commanded to take wise men and understanding and known among their Tribes, to be made Rulers over them; the six then approved of, as in the present case, are the Senate, not by hereditary right, or in regard of the greatness of their estates onely, which would tend unto such power as might force or draw the people; but by election for their excellent parts, which tendeth unto the advancement of the influence of their virtue or authority that leads the people. Wherefore the office of the Senate, is not to be Commanders but Counsellors of the people; and that which is proper unto Counsellors, is first to debate the business whereupon they are to give advice, and afterward to give Advice in the business whereupon they have debated; whence the Decrees of the Senate are never Lawes, nor so called, but SENATUSCONSULTA, and these being naturally framed, it is their duty (FERRE AD POPULUM) to propose in the case unto the people. Wherefore the Senate is no more then the debate of the Common-wealth. But to debate is to discern or put a difference between things that being alike are not the same, or it is separating and weighing this reason against that, and that reason against this, which is dividing.

The Senate then having divided, who shall choose? Ask the girls; for if she that divided must have chosen also, it had been little worse for the other, in case she had not divided at all, but kept the whole Cake unto her self, in regard that being to choose too, she divided accordingly. Wherefore if the Senate have any farther power than to divide, the Common-wealth can never be equall. But in a Common-wealth consisting of a single Councill, there is no other to choose then that which divided; whence it is, that such a Councill faileth not to scramble, that is, to be factious; there being no other dividing of the cake in that case but among themselves.

Nor is there any remedy but to have another Councill to choose. The wisdom of the Few may be the light of Mankind; but the interest of the Few is not the profit of Mankind, nor of a Common-wealth; wherefore seeing we have granted interest to be reason, they must not choose, lest it put out their light; but as the Council dividing consisteth of the wisdom of the Common-wealth, so the Assembly or Councill choosing, should consist of the interest of the Common-wealth: as the wisdom of the Common-wealth is in the Aristocracy, so the interest of the Common-wealth is in the whole body of the People: and whereas this, in case the

Common-

Common-wealth consist of an whole Nation, is too unweildy a body to be assembled, this *Council* is to consist of such a Representative as may be equall, and so constituted, as can never contract any other interest then that of the *whole people*; the manner whereof being such as is best shewn by *exemplification*, I remit unto the *Modell*. But in the present case, the *six dividing*, and the *fourteen choosing*, must of necessity take in the whole interest of the *twenty*.

Dividing and choosing in the language of a *Common-wealth* is *debating and resolving*; and whatsoever upon *debate* of the *Senate* is *proposed* unto the *people*, and *resolved* by them is *enacted* (AUTHORITATE PATRUM ET JUSSU POPULI) by the authority of the *Fathers*, and the power of the *people*, which concurring make a *Law*.

But the *Law* being made, saith *Leviathan*, is but words and *The Magistracy* paper without the hands and swords of men; wherefore as those two orders of a *Common-wealth*, namely the *Senate* and the *people* are *Legislative*, so of necessity there must be a *third* to be *executive* of the *Laws* made, and this is the *Magistracy*; in which order with the rest being wrought up by art, the *Common-wealth* consisteth of the *Senate proposing*, the *People resolving*, and the *Magistracy executing*: whereby partaking of the *Aristocracy* as in the *Senate*, of the *Democracy* as in the *People*, and of *Monarchy* as in the *Magistracy*, it is compleat. Now there being no other *Common-wealth* but this in *Art* or *Nature*, it is no wonder if *Machiavill* have shew'd us, that the *Ancients* held this onely to be good; but it seemeth strange to me, that they should hold, that there could be any other: for if there be such a thing as *pure Monarchy*, yet that there should be such an one as *pure Aristocracy*, or *pure Democracy*, is not in my understanding. But the *Magistracy* both in number and function is different in different *Common-wealths*: neverthelesse there is one condition of it, that must be the same in Every one, or it dissolves the *Common-wealth* where it is wanting: And this is no lesse then that as the *hand* of the *Magistrate* is the *executive power* of the *Law*, so the *head* of the *Magistrate* is answerable unto the *people*, that his *execution* be according unto the *Law*, by which *Leviathan* may see, that the *hand* or *sword* that executeth the *Law* is *in* it, and *not above* it.

Now whether I have rightly transcribed these *Principles* of a *Common-wealth* out of *Nature*, I shall appeal unto *God* and to the *world*. Unto *God* in the *Fabrick* of the *Common-wealth* of *Israel*: and unto the *world* in the universal *Series* of *ancient prudence*. But in regard the same *Common-wealths* will be open'd at large in the *Council* of *Legislators*, I shall touch them for the present, but sleightly; beginning with that of *Israel*.

The *Common-wealth* of *Israel* consisted of the *Senate*, the *People*, and the *Magistracy*. *Of Israel.*
The

this over

The People by their first *division*, which was *genealogicall*, were contained under their *ten Tribes*, houses or families; whereof the first born in each was *Prince* of his *Tribe*, and had the leading of it (*Numb. 1.*) the *Tribe* of *Levi* onely being set apart to serve at the *Altar*, had no other *Prince* but the *High Priest*. In their second *division* they were divided *locally* by their *Agrarian*, (*Jos. c. 13. to c. 42.*) or the *distribution* of the *Land* of *Canaan* unto them by *Lot*, the *tythe* of all remaining unto *Levi*; whence according unto their *locall* division, the *Tribes* are reckon'd but twelve.

The People. The *Assemblies* of the people thus divided were *methodically* gathered by *Trumpets* (*Num. 10. 7.*) unto the *Congregation*; which was it should seem of *two sorts*. For if it were called by one *trumpet* onely, the *Princes* of the *Tribes* and the *Elders* onely assembled, (*Numb. 10. 4.*) but if it were called with *two*, the *whole people* gathered themselves unto the *Congregation*; (*Num. 10. 3.*) for so it is rendred by the *English*: but in the *Greek* it is called *Ecclesia*, or the *Church* of *God*, (*Judg. 20. 2.*) and by the *Talmudist*, *Synagoga magna*. The word *Ecclesia* was also anciently and properly used for the *Civil Congregations*, or *Assemblies* of the people in *Athens*, *Lacedemon*, and *Ephesus*, where it is so called in *Scripture*, (*Acts 19. 23.*) though it be otherwise rendred by the *Translators*, not much as I conceive to their commendations; seeing by that means they have lost us a good lesson, the *Apostles* borrowing that name for their *Spiritual Congregations*, to the end that we might see they intended the *Government* of the *Church* to be *Democratical* or *Popular*, as is also plain in the rest of their constitutions.

The *Church* or *Congregation* of the people of *Israel*, assembled in a *Military* manner, (*Judg. 20. 2.*) and had the *result* of the *Common-wealth*, or the power of confirming all their *Lawes*, though proposed even by *God* himself, as where they make him *King*, (*Exod. 19.*) And where they reject or *depose* him as *Civil Magistrate*, and elect *Saul*, (*1 Sam. 8. 7.*) it is manifest that he giveth no such example unto a *Legislator* in a popular *Government*, as to deny or evade the power of the *people*, which were a *contradiction*: but, though he deservedly blame the ingratitude of the people in that action, commandeth *Samuel*, being next under himself *Supream Magistrate*, to hearken unto their *voyce*, (for where the *suffrage* of the people goes for nothing, it is no *Common-wealth*) and comforteth him, saying, *They have not rejected thee, but they have rejected me, that I should not reign over them.* But to reject him that he should not reign over them, was as *Civill Magistrate* to depose him: The power therefore which the people had to *depose* even *God* himself as he was *Civil Magistrate*, leaveth little doubt, but that they had power to have rejected any of those *Lawes* confirmed by them

them throughout the *Scripture*, which (to omit the severall parcels) are generally contained (*Deut. 29.*) under two heads, those that were made by *Covenant* with the people in the Land of *Moab*, and those which were made by *Covenant* with the people in *Horeb*: which two, I think, amount unto the whole body of the *Israelitish Lawes*: but if all and every one of the *Lawes of Israel* being proposed by *God*, were no otherwise enacted than by *Covenant* with the people, then that onely which was resolved by the people of *Israel*, was their *Law*; and so the result of that *Common-wealth* was in the people. Nor had the people the result only in matter of *Law*: but the power in some cases of *Judicature*, (*Jos. 7. 16. Judg. 20. 8, 9, 10.*) as also the right of *levying war*, (*Judg. 20. 8, 9, 10. 1 Sam. 7. 6, 7, 8.*) cognizance in matter of *Religion*, (*1 Chron. 13. 2. 2 Chron. 30. 4.*) and the election of their *Magistrates*, as the *Judge or Dictator*, (*Judg. 11. 11.*) *The King*, (*1 Sam. 10. 17.*) *The Prince*, (*1 Machab. 14.*) which functions were exercised by the *Synagoga magna*, or *Congregation of Israel* not alwayes in one manner: for sometimes they were performed by the suffrage of the people; *vivâ voce*, (*Ex. 9. 3, 4, 5.*) sometimes by the *Lot onely*, (*Jos. 7. 1 Sam. 10.*) and of others by the *Ballot* or by a mixture of the lot with the suffrage, as in the case of *Eldad and Medad*, which I shall open with the Senate.

The Senate of Israel called in the Old Testament the *seventy Elders*: and in the New the *Sanhedrim*; which word is usually translated the *Council*: was appointed by *God*, and consisted of *Seventy Elders* besides *Moses*, (*Num. 11.*) which were at the first elected by the people, (*Deut. 1.*) but in what manner, is rather intimated (*Numb. 11.*) then shewn: nevertheless, because I cannot otherwise understand the passage concerning *Eldad and Medad*, of whom it is said, that they were of them that were written, but went not up unto the *Tabernacle*; then with the *Talmudists*, I conceive that *Eldad and Medad* had the suffrage of the *Tribes*, and so were written as competitors for *Magistracy*; but coming afterwards unto the *Lot*, failed of it, and therefore went not up unto the *Tabernacle*, or place of confirmation by *God*, or to the *Session-house of the Senate* with the *Seventy* upon whom the lot fell to be *Senators*: for the *Session house* of the *Sanhedrim* was first in the *Court of the Tabernacle*, and afterwards in that of the *Temple*, where it came to be called the *Stone Chamber* or *Pavement*, (*John . . .*) If this were the *Ballot of Israel*, that of *Venice* is the same transposed: for in *Venice* the competitor is chosen as it were by the lot, in regard that the *Electors* are so made, and the *Magistrate* is chosen by the *Suffrage of the great Council or Assembly of the people*. But the *Sanhedrim of Israel* being thus constituted, *Moses* for his time, and after him his successor, sat in the midst of it as *Prince or Archon*,

and at his left hand the *Orator* or *Father of the Senate*, the rest of the bench coming round with either horn like a *Crescent*, had a *Scribe* attending upon the tip of it.

The *Senate* in regard that the *Legislator of Israel* was infallible, and the *Lawes* given by *God*, such as were not fit to be alter'd by men, is much different in the exercise of their power from all other *Senates*, except that of the *Areopagites* in *Athens*, which also was little more then a *Supream Judicatory*; for it will hardly, as I conceive, be found that the *Sanhedrim* proposed unto the people, till the return of the *Children of Israel* out of *Captivity* under *Esdra*s, at which time there was a new *Law* made, namely, for a kind of excommunication, or rather banishment, which had never been before in *Israel*: nevertheless it is not to be thought that the *Sanhedrim* had not alwaies that right, which from the time of *Esdra*s it more frequently exercised, of proposing unto the people, but that they forbore it in regard of the fulnesse and infallibility of the *Law* already made, whereby it was needlesse. Wherefore the function of this *Council*, which is very rare in a *Senate*, was executive, and consisted in the administration of the *Law* made (*Deut.* 17. 9, 10, 11.); and whereas the *Council* it self, is often understood in *Scripture* by the *Priest* and the *Levite*: there is no more in that, save onely that the *Priests* and the *Levites*, who otherwise had no power at all, being in the younger years of this *Common-wealth*, those that were best studied in the *Lawes* were the most frequently elected into the *Sanhedrim*. For the *Courts* consisting of three and twenty *Elders* sitting in the gates of every *City*, and the *Triumvirates* of *Judges*, constituted almost in every village, which were parts of the executive Magistracy subordinate unto the *Sanhedrim*, I shall take them at better leisure, and in the larger Discourse; but these being that part of this *Common-Wealth* which was instituted by *Moses* upon the advice of *Jethro* the *Priest* of *Midian*, (*Exo.* 18.) as I conceive an *Heathen*; are unto me a sufficient warrant even from *God* himself who confirmed them, to make farther use of humane prudence where ever I find it, bearing a testimony unto it self, whether in *Heathen Common-wealths* or others. And the rather, because so it is, that we who have the *holy Scriptures*, and in them the Original of a *Common-wealth* made by the same hand that made the *World*, are either altogether blind or negligent of it, while the *Heathens* have all written theirs, as if they had had no other Copy. As, to be more brief in the present account of that which you shall have more at large hereafter,

Athens consisted of the *Senate* of the *Bean* proposing, of the *Church* or *Assembly* of the people resolving and too often debating, which was the ruine of it, as also of the *Senate* of the *Areopagites*,

Areopagites, the 9. *Archons*, with divers other Magistrates *executing*.

Lacedemon consisted of the *Senate* proposing; of the Church or Of *Lacedemon* Congregation of the people resolving onely, and never debating; which was the long life of it; and of the two *Kings*, the Court of the *Effors*, with divers other Magistrates *executing*.

Carthage consisted of the *Senate* proposing and sometimes re- Of *Carthage* solving too, of the people resolving and sometimes debating too; for which fault she was reprehended by *Aristotle*, and she had her *Suffetes*, and her hundred men with other Magistrates *executing*.

Rome consisted of the *Senate* proposing; the *Concio* or people Of *Rome* resolving and too often debating, which caused her storms; as also of the *Consuls*, *Censors*, *Ædiles*, *Tribunes*, *Prætors*, *Quæstors*, and other Magistrates *executing*.

Venice consisteth of the *Senate* or *Pregati* proposing, and some- Of *Venice* times resolving too, of the great Council or Assembly of the people, in whom the result is constitutively; as also of the *Doge*, the *Signory*, the *Censors*, the *Dieci*, the *Quazancies*, and other Magistrates *executing*.

The proceeding of the *Common-wealths* of *Switzerland* and Of *Switz & Holland* is of a like nature, though after a more obscure manner; for the *Soveraignties*, whether *Cantons* *Provinces* or *Cities*, which are the people, send their *Deputies* Commissioned and instructed by themselves (wherein they reserve the result in their own power) unto the *Provincial* or general *Convention* or *Senate*, where the *Deputies* debate, but have no other power of result then what was conferred upon them by the people, or is farther conferred by the same upon farther occasion. And for the executive part they have *Magistrates* or *Judges* in every *Canton* *Province* or *City*; besides those which are more publick, and relate unto the league, as for controversies between one *Canton*, *Province* or *City*, and another, or the like between such persons as are not of the same *Canton* *Province* or *City*.

But that we may observe a little farther how the Heathen Politicians have written, not onely out of nature, but as it were out of *Scripture*: As in the *Common-wealth* of *Israel*, God is said to have been King; so the *Common-wealth* where the Law is King, is said by *Aristotle* to be Kingdom of God. And where by the lusts or passions of men, a power is set above that of the Law deriving from reason, which is the dictate of God; God in that sense is rejected or deposed that he should not reign over them, as he was in *Israel*. And yet *Leviathan* will have it, that by reading of these Greek and Latine (he might as well in this sense have said, Hebrew) Authors, young men and all others that are unprovided of the antidote of solid reason, receiving a strong and delightfull impression of the great exploits of war, atchieved by the Conductors of their

their Armies, receive withall a pleasing Idea of all they have done besides: and imagine their great prosperity, not to have proceeded from the emulation of particular men, but from the virtue of their popular form of Government: not considering the frequent seditions and Civil wars produced by the imperfection of their Policy. Where first the blame he layes to the Heathen Authors, is in his sense laid unto the Scripture; and whereas he holds them to be young men, or men of no antidote that are of like opinions, it should seem that Machiavill the sole retriever of this ancient Prudence, is to his solid reason a beardlesse boy that hath newly read Livy: and how solid his reason is, may appear; Where he grants the great prosperity of ancient Common-wealths: which is to give up the controverſie: For such an effect must have some adequate cause; which to evade, he insinuates, that it was nothing else but the emulation of particular men; as if so great an emulation could have been generated without as great virtue; so great virtue without the best education; the best education without the best Lawes; or the best Lawes any otherwise then by the excellency of their policy.

But if some of these Common-wealths as being lesse perfect in their policy then others, have been more seditious, it is not more an argument of the infirmity of this or that Common-wealth in particular, then of the excellency of that kind of Policy in generall, which if they that have not altogether reached, have neverthelesse had greater prosperity; what would befall them that should reach?

In answer to which question, let me invite *Leviathan*, who of all other Governments giveth the advantage unto Monarchy for perfection, to a better disquisition of it, by these three assertions:

The first, That the perfection of Government lyeth upon such a libration in the frame of it, that no man or men, in or under it, can have the interest; or having the interest, can have the power to disturb it with sedition.

The second, That Monarchy reaching the perfection of the kind, reacheth not unto the perfection of Government, but must have some dangerous flaw in it.

The third, That Popular Government reaching the perfection of the kind, reacheth the perfection of Government; and hath no flaw in it.

The first assertion requireth no proof.

For the proof of the second; Monarchy, as hath been shewn, is of two kinds, the one by Arms, the other by a Nobility; and there is no other kind in art or nature: for if there have been anciently some Governments called Kingdoms, as one of the Gothes in Spain, and another of the Vandals in Africa, where the King ruled without a Nobility, and by a Council of the people

ple only; it is expressly said by the Authors that mention them, that the *Kings* were but the *Captains*, and that the people not onely gave them Lawes, but deposed them as often as they pleased; nor is it possible in reason that it should be otherwise in like cases: wherefore these were either no *Monarchies*, or had greater flaws in them then any other.

But for a *Monarchy* by *Arms* as that of the *Turk*, (which of all models that ever were cometh up unto the perfection of the kind) it is not in the wit or power of man to cure it of this dangerous flaw, That the *Janizaries* have frequent interest and perpetual power to raise *sedition*, and to tear the *Magistrate*, even the *Prince* himself, in pieces. Therefore the *Monarchy* of *Turky* is no perfect *Government*.

And for a *Monarchy* by a *Nobility* as of late in *Oceana* (which of all other models before the declination of it came up to the perfection in that kind) it was not in the power or wit of man to cure it of that dangerous flaw; That the *Nobility* had frequent interest and perpetuall power by their retainers and tenants to raise *sedition*, and (whereas the *Janizaries* occasion this kind of calamity, no sooner then they make an end of it) to levy a lasting War, unto the vast effusion of blood; and that even upon occasions wherein the people, but for their dependance upon their Lords had no concernment, as in the *Fewd* of the *Red and white*. The like hath been frequent in *Spain*, *France*, *Germany*, and other *Monarchies* of this kind; wherefore *Monarchy* by a *Nobility* is no perfect *Government*.

For the proof of the third Assertion, *Leviathan* yieldeth it unto me, that there is no other *Common-wealth* but *Monarchical* or *Popular*: wherefore if no *Monarchy* be a perfect *Government*; then either there is no perfect *Government*, or it must be popular; for which kind of constitution I have something more to say, then *Leviathan* hath said, or ever will be able to say for *Monarchy*; as,

1. That it is the *Government* that was never conquered by any Monarch, from the beginning of the World unto this day: for if the *Common-wealth* of *Greece* came under the yoke of the *Kings* of *Macedon*, they were first broken by themselves.

2. That it is the *Government* that hath frequently led mighty *Monarchs* in Triumph.

3. That it is the *Government*, which if it have been *Seditious*, it hath not been from any imperfection in the kind, but in the particular constitution; which where ever the like hath happened, must have been unequall.

4. That it is the *Government*, which if it have been any thing near equall, was never *seditious*; or let him shew me what *sedition* hath happened in *Lacedemon* or *Venice*.

5. That it is the *Government*, which attaining unto perfect equality,

equality, hath such a *libration* in the frame of it, that no man living can shew which way any man or men in or under it, can contract any such *interest* or *power* as should be able to disturb the *Common-wealth* with *sedition*; wherefore an *equal Common-wealth* is that onely which is without flaw, and containeth in it the full perfection of Government. But to return.

By what hath been shewn in *reason* and *experience* it may appear, that though *Common-wealths* in generall be *Governments* of the *Senate* *proposing*, the *people* *resolving*, and the *Magistracy* *executing*; yet some are not so good at these *orders* as others, through some impediment or defect in the frame, ballance, or capacity of them, according unto which they are of divers kinds.

Division of
Common-
wealths.

The first division of them is into such as are single as *Israel*, *Athens*, *Lacedemon*, &c. and such as are by *leagues*, as those of the *Achaëans*, *Ætolians*, *Lyceans*, *Switz* and *Hollanders*.

The second (being *Machiavil's*) is into such as are for *preservation*, as *Lacedemon* and *Venice*, and such as are for *encrease*, as *Athens* and *Rome*, in which I can see no more; then that the former taketh in no more *Citizens* then are necessary for *defence*, and the latter so many as are capable of *encrease*.

The third division (unseen hitherto) is into *equall* and *unequall*, and this is the main point especially as to domestick peace and tranquillity; for to make a *Common-wealth* *unequall*, is to divide it into parties, which setteth them at perpetuall variance, the one party endeavouring to preserve their *eminence* and *inequality*, and the other to attain unto *equality*; whence the people of *Rome* derived their perpetuall strife with the *Nobility* or *Senate*; but in an *equal Common-wealth*, there can be no more strife then there can be over-ballance in equall weights; wherefore the *Common-wealth* of *Venice*, being that which of all others is the most *equal* in the constitution, is that wherein there never happen'd any strife between the *Senate* and the people.

An *equall Common-wealth* is such an one, as is *equall* both in the *ballance* and *foundation*, and in the *superstrutions*, that is to say, in her *Agrarian* Law, and in her *Rotation*.

Equal Agrar-
ian.

An *equal Agrarian* is a perpetuall Law establishing and preserving the ballance of *dominion*, by such a distribution, that no one man or number of men within the compasse of the *Few* or *Aristocracy*, can come to overpower the whole people by their possessions in Lands.

As the *Agrarian* answereth unto the *Foundation*, so doth *Rotation* unto the *Superstructures*.

Rotation.

Equal Rotation is equall *vicissitude* in Government, or *Succession* unto *Magistracy* conferred for such convenient terms, enjoying equall *vacations*, as take in the whole body by parts, succeeding

ceeding others through the free *election* or *suffrage* of the People.

The contrary whereunto is *Prolongation* of *Magistracy*, which trashing the wheel of *Rotation*, destroyes the life or *natural motion* of a *Common-wealth*. *Prolongation of Magistracy.*

The *election* or *suffrage* of the people, is *freest*, where it is made or given in such a manner, that it can neither oblige (*qui beneficium accepit libertatem vendidit*) nor disoblige another; or through fear of an enemy, or bashfulness towards a friend, impair a mans liberty. *Ballot.*

Wherefore saith *Cicero*, (*Grata populo est tabella quæ frontes aperit hominum, mentes tegit, datq; eam libertatem ut quod velint faciant*) the Tablet (or Ballot of the people of *Rome*, who gave their votes by throwing tablets or little pieces of wood secretly into Urns marked for the negative or affirmative) was a welcome constitution, unto the people, as that which not impairing the assurance of their browes, encreased the freedom of their Judgment. I have not stood upon a more particular description of this *Ballot*, because that of *Venice* exemplify'd in the modell is of all others the most perfect.

An *equal Common-wealth* (by that which hath been said) is a Government established upon an *equall Agrarian*, arising into the *superstructures* or three orders, the Senate debating and proposing, the people resolving, and the *Magistracy* executing by an *equal Rotation* through the *suffrage* of the people given by the *Ballot*. For though *Rotation* may be without the *Ballot*, and the *Ballot* without *Rotation*, yet the *Ballot* not onely as to the ensuing *Modell* includeth both, but is by far the most *equal* way; for which cause under the name of the *Ballot* I shall hereafter understand both that and *Rotation* too. *Definition of an equall Common-wealth.*

Now having reason'd the principles of an *equall Common-wealth*, I should come to give an instance of such an one in experience, if I could find it; but if this work be of any value, it lyeth in that it is the first example of a *Common-wealth* that is perfectly *equall*. For *Venice* though she come the nearest, yet is a *Common-wealth* for preservation; and such an one, considering the paucity of Citizens taken in, and the number not taken in, is externally *unequal*: and though every *Common-wealth* that holdeth *Provinces* must in that regard be such; yet not unto that degree. Nevertheless *Venice* internally and for her capacity is by far the most *equall*; though she hath not in my judgment arrived at the full perfection of *equality*; both because her *Laws* supplying the defect of an *Agrarian*, are not so clear nor effectual at the foundation, nor her *superstructures* by the virtue of her *Ballot* or *Rotation* exactly librated, in regard that through the paucity of her Citizens, her greater *Magistracies* are continually wheeled through a few hands. As is confessed by

by Janotti, where he saith, that if a Gentleman come once to be *Savio di terra ferma*, it seldom happens that he faileth from thenceforward to be adorned with some one of the greater *Magistracies*, as *Savi di mare*, *Savi di terra ferma*, *Savi Grandi*, *Counsellors*, those of the Decemvirate or *Dictatorian Council*, the *Aurogatori* or Censors which require no vacation or interval: wherefore if this in *Venice*, or that in *Lacedemon*, where the *Kings* were hereditary, and the *Senators* (though elected by the people) for life, cause no inequality (which is hard to be conceived) in a *Common-wealth* for preservation, or such an one as consisteth of a few Citizens; yet is it manifest, that it would cause a very great one in a *Common-wealth* for encrease, or consisting of the *Many*, which by the engrossing the *Magistracies* in a few hands, would be obstructed in their *Rotation*.

But there be that say, (and think it a strong Objection) let a *Common-wealth* be as equal as you can imagine, two or three men when all is done will govern it: and there is that in it, which notwithstanding the pretended sufficiency of a popular State, amounteth unto a plain confession of the imbecillity of that Policy, and of the prerogative of *Monarchy*; for as much as popular Governments in difficult cases have had recourse unto *Dictatorian* power, as in *Rome*.

To which I answer, That as truth is a Spark whereunto objections are like bellows; so, in this, our *Common-wealth* shines: for the eminence acquired by *suffrage* of the people in a *Common-wealth*, especially if it be popular and equal, can be ascended by no other steps then the universall acknowledgment of *virtue*; and where men excell in *Virtue*, the *Common-wealth* is stupid and unjust, if accordingly they do not excell in *Authority*: wherefore this is both the advantage of *Virtue*, which hath her due encouragement, and the *Common-wealth* which hath her due services. These are the *Philosophers* which *Plato* would have to be *Princes*, the *Princes* which *Solomon* would have to be mounted, and their Steeds are those of *Authority* not *Empire*; or, if they be buckled to the Chariot of *Empire*, as that of the *Dictatorian power*, like the Chariot of the Sun it is glorious for terms and vacations or intervals. And as a *Common-wealth* is a Government of *Laws* and not of *Men*; so is this the *Principality* of the *Virtue*, and not of the *Man*; if that fail or set in one, it riseth in another, which is created his immediate Successour.

(— *Uno avulso non deficit alter,*

Aureus, et simili fronde scit virga metallo.)

And this taketh away that vanity from under the Sun, which is an error proceeding more or lesse from all other Rulers under heaven but an equal *Common-wealth*.

These things considered, it will be convenient in this place to speak a word unto such as go about to insinuate to the Nobility

lity or Gentry a fear of the people; or into the people a fear of the Nobility or Gentry, as if their interests were each destructive unto other, when in truth an Army may as well consist of Souldiers without Officers, or of Officers without Souldiers, as a Common-wealth, especially such an one as is capable of greatness, of a people without a Gentry, or of a Gentry without a people. Wherefore this (though not alwaies so intended, as may appear by *Machiavil*, who else would be guilty) is a pernicious error. There is something first in the making of a Common-wealth, then in the governing of her, and last of all in the leading of her Armies; which, though there be great *Divines*, great *Lawyers*, great men in all professions, seems to be peculiar unto the Genius of a Gentleman. For so it is in the universall series of Story, that if any man have founded a Common-wealth, he was first a Gentleman. *Moses* had his education by the daughter of *Pharaoh*; *Theseus* and *Solon* of noble birth, were held by the *Athenians* worthy to be Kings; *Lycurgus* was of the blood-Royal, *Romulus* and *Numa* Princes, *Brutus* and *Publicola* *Patricians*, the *Gracchi* that lost their lives for the people of *Rome*, and the restitution of that Common-wealth, were the sonnes of a Father adorned with two *Triumphs*; and of *Cornelia* the daughter of *Scipio*, who being sought in marriage by King *Ptolomy*, disdaind to be the Queen of *Egypt*. And the most renowned *Olpharus Megaletor*; sole *Legislator* (as you will see) of the Common-wealth of *Oceana*, was derived from a noble Family: nor will it be any occasion of scruple in this case, that *Leviathan* affirms the *Politicks* to be no ancienter then his Book *De Cive*. Such also as have gotten any fame in the Civill Government of a Common-wealth, or by the leading of her Armies, have been Gentlemen; for so in all other respects were those plebeian Magistrates elected by the people of *Rome*, being of known descents, and of equall virtues, save onely that they were excluded from the name by the usurpation of the *Patricians*. *Holland*, through this defect at home, hath borrowed Princes for her Generals, and Gentlemen for her Commanders, of divers Nations: And *Smitz*, if she have defect in this kind, rather lendeth her people unto the Colours of other Princes, then maketh that noble use of them her self; which should assert the liberty of mankind. For where there is not a Nobility to bolt out the people, they are slothfull, regardlesse of the world and the publick interest of liberty, as even that of *Rome* had been without her Gentry: wherefore let the people embrace the Gentry in peace, as the light of their eyes, and in War as the trophy of their Arms. And if *Cornelia* disdaind to be Queen of *Egypt*, if a *Roman Consul* looked down from his Tribunal upon the greatest King; Let the Nobility love and cherish the people that afford them a Throne so much higher in a Common-wealth,

unequall
Common-
wealth.

and in the acknowledgment of their Virtue, than the Crowns of Monarchs.

But if the equality of a *Common-wealth* consist in the equality first of the *Agrarian*, and next of the *Rotation*; then the inequality of a *Common-wealth* must consist in the absence or inequality of the *Agrarian*, or of the *Rotation*, or of both.

Deut. I.

Israel and *Lacedemon*, which *Common-wealths* (as the people of this in, *Josephus*, claims kindred of that) have great resemblance, were each of them equall in their *Agrarian*, and unequall in their *Rotation*, especially *Israel*, where the *Sanhedrim* or *Senate* first elected by the people, as appeareth by the words of *Moses*, took upon them thenceforth without any precept of God to substitute their *Succeſſors* by *Ordination*; which having been there of *Civil use*, as *excommunication*, *community of goods*, and other *customs* of the *Eſſeans*, who were many of them converted, came afterwards to be introduced into the *Chriſtian Church*. And the election of the *Judge*, *Suffes*, or *Dictator* was irregular, both for the occasion, the term, and the vacation of that *Magistracy*; as you find in the Book of *Judges*, where it is often repeated, that in those dayes there was no *King in Israel*, that is, no *Judge*: and in the first of *Samuel*, where *Ely* judged *Israel* fourty years, and *Samuel* all his life: In *Lacedemon* the election of the *Senate* being by *suffrage* of the *People*; though for *life* was not altogether so unequal, but the hereditary right of *Kings*, but for the *Agrarian*, had ruin'd her.

t, & Others

Others.

Athens and *Rome* were unequall as to their *Agrarian*, that of *Athens* being infirm, and that of *Rome* none at all; for if it were more anciently carried, it was never kept. Whence by the time of *Tyberius Gracchus* the *Nobility* had almost eaten the people quite out of their *Lands*, which they held in the occupation of *Tenants* and *servants*: Whereupon the remedy being too late, and too vehemently applyed, that *Common-wealth* was ruin'd.

These also were unequal in their *Rotation*, but in a contrary manner: *Athens*, in regard that the *Senate* chosen at once by *Lot*, not by *suffrage*, and changed every year not in part, but the whole, consisted not of the naturall *Aristocracy*, nor sitting long enough to understand, or be perfect in their office, had no sufficient *Authority* to withhold the people from that perpetual turbulence in the way which was ruine in the end, in despite of *Nicias*, who did what a man could do to help it. But as *Athens* by the headinesse of the people, so *Rome* fell by the ambition of the *Nobility*, through the want of an equall *Rotation*, which if the people had had into the *Senate*, and timely into the *Magistracies*; whereof the former was alwaies usurped by the *Patricians*, and the latter for the most part; they had both carried and held their *Agrarian*, and that had rendered that *Common-wealth* immoveable.

But

But let a *Common-wealth* be *equall* or *unequall*, it must consist, as hath been shewn by reason and all experience, of the three *general Orders*, that is to say, of the *Senate* debating and proposing, of the *People* resolving, and of the *Magistracy* executing; wherefore I can never wonder enough at *Leviathan*, who without any reason or example will have it, that a *Common-wealth* consisteth of a single Person, or of a single Assembly; nor sufficiently pity that thousand Gentlemen, whose minds which otherwise would have waver'd, he hath framed (as is affirmed by himself) unto a conscientious obedience (for so he is pleased to call it) of such a Government.

But to finish this part of the Discourse, which I intend for as compleat an Epitome of *ancient Prudence*, and in that of the whole *Art of the Politicks*, as I am able to frame in so short a time.

The two first Orders, that is to say, the *Senate* and the *People* are *Legislative*, whereunto answers that part of this Science which by *Politicians* is intituled *DE LEGIBUS*, or of *Lawes*; and the third order is *executive*, to which answers that part of the same Science which is styled *DE JUDICIIS*, or of the frame, and course of Courts or *Judicatories*; A word unto each of these will be necessary.

And first for *Lawes*, they are either *Ecclesiastical* or *Civil*, such as concern *Religion* or *Government*. *De Legibus.*

Lawes Ecclesiastical or such as concern *Religion*, according unto the universal course of *ancient Prudence*, are in the power of the *Magistrate*; according unto the common practice of modern *prudence*, since the *Papacy*, torn out of his hands.

But, as a Government pretending unto *Liberty*, and suppressing the *liberty of conscience*, which (because *Religion* not according to a mans conscience, can as to him be none at all) is the main, must be a contradiction; so, a man that pleading for the *liberty of private conscience*, refuseth *liberty* unto the *National conscience*, must be absurd.

A *Common-wealth* is nothing else but the *National Conscience*. And if the conviction of a mans *private conscience*, produce his private *Religion*: the conviction of the *national conscience*, must produce a *national Religion*. Whether this be well reason'd, as also whether these two may stand together, will best be shewn by the examples of the ancient *Common-wealths* taken in their order.

In that of *Israel* the Government of the *National Religion* appertained not unto the *Priests* and *Levites*, otherwise then as they happen'd to be of the *Sanhedrim* or *Senate*, to which they had no right at all but by *election*. It is in this capacity therefore that the people are commanded under pain of death, to hearken unto them, and to do according to the sentence of the Law which they should teach; but in *Israel* the *Law Ecclesiastical* and *Civill* was the same, therefore the *Sanhedrim* having the power *Deut. 17.*

- of one, had the power of both. But as the *National Religion* appertained unto the *Jurisdiction* of the *Sanhedrim*, so the *liberty of conscience* appertained from the same date and by the same right, unto the *Prophets* and their *disciples*; as where it is said,
- Deut. 18. I will raise up a Prophet — and whosoever will not hearken unto
10. my words which he shall speak in my Name, I will require it of him;
The words relate unto *prophetick right*, which was above all the
- 2 Kings 1. Orders of this *Common-wealth*; whence *Elijah* not only refused to
obey the *King*, but destroyed his messengers with fire: And
whereas it was not lawfull by the *National Religion* to sacrifice
in any other place then the *Temple*, a *Prophet* was his own *Temple*,
- 1 King. 18. and might sacrifice where he would, as *Elijah* did in *Mount Carmel*.
19. By this right *John the Baptist* and our *Saviour*, unto whom
it more particularly related, had their *disciples*, and taught the
people; whence is derived our present right of GATHERED
CONGREGATIONS: Wherefore the *Christian Religion* grew
up according unto the Orders of the *Common-wealth* of *Israel*, and
not against them. Nor was *Liberty of Conscience* infringed by
this Government, till the civil liberty of the same was lost, as
under *Herod*, *Pilate*, and *Tiberius*, a three pil'd Tyranny.
- To proceed, *Athens* preserved her *Religion*, by the testimony
of *Paul*, with great *superstition*: If *Alcibiades* that *Atheisticall*
fellow had not shew'd them a pair of heeles, they had shaven
off his head for shaving their *Mercuries*, and making their
Gods look *ridiculously* upon them without beards. Nevertheless,
if *Paul* reasoned with them; they loved news, for which he was
the more welcome; and if he converted *Dionysius* the *Areopagite*,
that is, one of the *Senators*, there followed neither any
hurt unto him, nor losse of honour to *Dionysius*. And for *Rome*;
if *Cicero* in his most excellent book, *De natura Deorum*, overthrew
the *National Religion* of that *Common-wealth*, he was never the
farther from being *Consul*. But there is a meannesse and poor-
nesse in modern *prudence*, not only unto the damage of *Civil Go-*
vernment, but of *Religion* it self: for to make a man in matter
of *Religion*, which admitteth not of sensible demonstration
(*jurare in verba Magistrum*) engage to believe no otherwise then
is believed by my Lord Bishop, or Goodman Presbyter, is a
Pedantisme, that hath made the sword to be a rod in the hands
of *School-masters*: by which means, whereas *Christian Religion*
is the farthest off any from countenancing *War*, there never
was a *War of Religion* but since *Christianity*. For which we are
beholding unto the *POPE*; for the *Pope* not giving liberty of
conscience unto *Princes* and *Common-wealths*, they cannot give
that unto their Subjects which they have not: whence both *Prin-*
ces and *Subjects* either through his instigation, or disputes
among themselves, have introduced that execrable custom, ne-
ver known in the world before, of fighting for *Religion*, and
denying

denying the *Magistrate* to have any *Jurisdiction* of it; whereas the *Magistrate's* losing the power of *Religion*, loseth the *liberty of conscience* which in that case hath nothing to protect it. But if the people be otherwise taught, it concerns them to look about, and distinguish between the shrieking of the Lapwing, and the voice of the Turtle.

To come unto *Civil Laws*, if they stand one way, and the *balance* another, it is the case of a *Government* which of necessity must be new *modell'd*; wherefore your *Lawyers* advising you upon like occasions to fit your *Government* unto their *Lawes*, are no more to be regarded, then your *Taylor* if he should desire you to fit your body unto his doublet; there is also danger in the plausible pretence of *reforming* the *Law*, except the *Government* be first good, in which case it is a good tree, and (trouble not your selves overmuch) bringeth not forth evill fruit; otherwise, if the Tree be evil, you can never reform the fruit: or if a root that is naught bring forth fruit of this kind that seemeth to be good; take the more heed, for it is the ranker poison. It was no-wise probable, if *Augustus* had not made excellent *Lawes*, that the bowels of *Rome* could have come to be so miserably eaten out by the Tyranny of *Tiberius* and his Successors. The best rule as to your *Lawes* in general, is, that they be few. *Rome* by the testimony of *Cicero* was best governed under those of the twelve *Tables*; (and by that of *Tacitus*, *Plurimæ leges, corruptissîma respublica*) You will be told, That where the *Lawes* be few, they leave much unto *arbitrary power*; but where they be many, they leave more; the *Lawes* in this case according to *Justinian* and the best *Lawyers*, being as *litigious* as the *Suitors*. *Solon* made few; *Lycurgus* fewer *Lawes*: *Common-wealths* have fewest at this day of all other *Governments*. And to conclude this part with a word *de Judiciis*, or of the *Constitution or course De Judiciis* of *Courts*; it is a discourse not otherwise capable of being well managed but by particular examples, both the constitution and course of *Courts* being divers in different *Governments*, but best beyond compare in *Venice*, where they regard not so much the arbitrary power of their *Courts*, as the constitution of them; whereby that arbitrary power being altogether unable to retard or do hurt unto *business*, produceth and must produce the *quickest dispatch*, and the most *righteous dictates of Justice* that are perhaps in *humane nature*. The manner I shall not stand in this place to describe, because it is exemplify'd at large in the *Judicature* of the people of *Oceana*. And thus much of ancient *Prudence*, and the first branch of this *Preliminary Discourse*.

The

The Second Part of the Preliminaries.

IN the Second Part I shall endeavour to shew the *Rise*, *Progresse*, and *Declination* of *Moderne Prudence*.

The date of this kind of Policy is to be computed, as was shewn, from those Inundations of *Goths*, *Vandals*, *Hunnes*, and *Lombards* that overwhelmed the *Roman Empire*. But as there is no appearance in the bulk or constitution of *Moderne Prudence*, that she should ever have been able to come up and Grapple with the *Ancient*, so something of necessity must have interposed, whereby This came to be enervated, and That to receive strength and encouragement: And this was, the execrable reign of the *Roman Emperours* taking rise from (that *felix scelus*) the *Arms of Caesar*, in which storm the ship of the *Roman Common-wealth* was forced to disburthen her self of that precious freight, which never since could emerge or raise the head but in the *Gulph of Venice*.

The transition of Ancient into Modern Prudence.

It is said in *Scripture*, *Thy evil is of thyself, O Israel!* to which answers that of the *Moralists*, *Nemo nocetur nisi ex se*, as also the whole matter of the *Politicks*; at present this Example of the *Romans*, who, through a negligence committed in their *Agrarian Lawes*, let in the sink of *Luxury*, and forfeited the inestimable treasure of *Liberty* for themselves and posterity.

The Agrarian Lawes of the Romans. Sigonius de Ant. Ro.

Their *Agrarian Lawes* were such, whereby their Lands ought to have been divided among the people, either without mention of a *Colony*, in which case they were not obliged to change their abode; or with mention and upon condition of a *Colony*, in which case they were to change their abode, and leaving the City to plant themselves upon the Lands so assigned. The Lands assigned, or that ought to have been assigned in either of these wayes, were of three kinds. Such as were taken from the enemy and distributed unto the people; or such as were taken from the enemy, and under colour of being reserved unto the publick use, were by stealth possessed by the *Nobility*; or such as were bought with the *publick Money* to be distributed. Of the Lawes offer'd in these cases, those which divided the Lands taken from the Enemy, or purchased with the publick money, never occasioned any dispute; but such as drove at dispossessing the *Nobility* of their *Usurpations*, and dividing the common purchase of the sword among the people, were never touched but they caused *Earthquakes*, nor could ever be obtained by the people; or being obtained, be observed by the *Nobility*, who not only preserved their prey, but growing vastly

vastly rich upon it, bought the people by degrees quite out of those shares that had been conferred upon them. This the *Gracchi* coming too late to perceive, found the *Ballance of the Common-wealth* to be lost; but putting the people (when they had least force) by forcible means unto the recovery of it, did ill, seeing it neither could, nor did tend unto any more then to shew them by worse effects, that what the *Wisdom* of their Leaders had discovered was true: for (quite contrary unto what hath happened in *Oceana*, where, *the ballance falling unto the people, they have overthrown the Nobility*) the *Nobility of Rome* under the conduct of *Sylla*, overthrew the people and the *Common-wealth*: seeing *Scylla* first introduced that new ballance, which was the *Foundation* of the succeeding *Monarchy*, in the plantation of *Military Colonies*; instituted by his distribution of the conquered Lands not now of Enemies, but of Citizens unto forty seven Legions of his Souldiers; so that how he came to be *Dictator Perpetuus*, or other Magistrates to succeed him in like power, is no *Miracle*.

Military Colonies.

These *Military Colonies*, in which manner succeeding *Emperours* continued (as *Augustus* by the distribution of the *Veterans*, whereby he had overcome *Brutus* and *Cassius*) to plant their *Souldiery*, consisted of such as I conceive were they that are called *Milites beneficiarii*; in regard that the *Tenure* of their Lands was by way of *Benefices*, that is for life, and upon condition of duty or service in the War upon their own charge. These *Benefices* *Alexander Severus* granted unto the Heirs of the Incumbents, but upon the same conditions: And such was the *Dominion* by which the *Roman Emperours* gave their *Ballance*. But to the *Beneficiaries*, as was no lesse than necessary, for the safety of the *Prince*, a matter of eight thousand, by the Example of *Augustus*, were added, which departed not from his sides, but were his perpetuall guard, called *Pretorian Bands*; though these, according to the incurable flaw already observed in this kind of *Government*, became the most frequent Butchers of their Lords that are to be found in Story. Thus far the *Roman Monarchy* is so much the same with that at this day in *Turkey* consisting of a *Camp*, and an *Horse-quarter*; a *Camp* in regard of her *Spahies* and *Janizaries*, the perpetuall Guard of the *Prince*, except they also chance to be *Liquorish* after his blood; and an *Horse-quarter*, in regard of the distribution of his whole Land unto *Tenants* for life upon condition of continuall service, or as often as they shall be commanded at their own charge by *Timars*, being a word which they say signifies *Benefices*, that it shall save me a labour of opening the *Government*.

The Ballance of the Roman Empire.

But the Fame of *Mahomet* and his *Prudence* is especially founded in this, That whereas the *Roman Monarchy* (except that
of

of *Israel*) was the most imperfect, the *Turkish* is the most perfect that ever was. Which happened in that the *Roman* (as the *Israelitish* of the *Sanhedrim* and the *Congregation*) had a mixture of the *Senate* and the *people*; and the *Turkish* is pure: and that this was pure, and the other mixed, happened not through the wisdom of the *Legislators*, but the different *Genius* of the *Nations*; the people of the *Eastern parts*, except the *Israelites*, (which is to be attributed to their *Agrarian*) having been such as scarce ever knew any other condition than that of *Slavery*. And these of the *western* having ever had such a Relish of liberty, as through what despair soever could never be brought to stand still, while the Yoke was putting on their Necks, but by being fed with some hopes of reserving unto themselves some part of their *Freedom*.

Dion.

Prince, cap.
19.

Wherefore *Julius Caesar* (saith *Suetonius*, *comitia cum populo sortitus est*) contented himself, in naming half the *Magistrates*, to leave the rest unto the *Suffrage* of the *people*. And *Mæcenus*, though he would not have *Augustus* to give the *people* their liberty, would not have him take it away; (for saith he, *Neq; id existimare debes autorem me tibi esse, ut tyrannidem in S.P. Q.R. in servitutem redactum teneas: quod neq; dicere meum, neq; facere tuum est*) whence this Empire being neither *Hawk* nor *Buzzard*, made a flight accordingly; and having the avarice of the *Souldiery* on this hand to satisfy upon the *people*; and the *Senate* and the *people* on the other to be defended from the *Souldiery*; the *Prince* being perpetually tossed, seldom dy'd any other death than by one Horn of this *Dilemma*, as is noted more at large by *Machiavell*. But the *Pretorian Bands*, those *Bestiall* executioners of their *Captains Tyranny* upon others, and of their own upon him; having continued from the time of *Augustus*, were by *Constantine* the Great (incensed against them for taking part with his Adversary *Maxentius*) removed from their strong Garrison which they held in *Rome*, and distributed them into divers *Provinces*. The *Benefices* of the *Souldiers* that were hitherto held for *life*, and upon duty, were by this *Prince* made *Hereditary*, so that the whole Foundation whereupon this *Empire* was first built, being now removed, sheweth plainly, that the *Emperours* must long before this have found out some other way of support; and this was by *Stipendiating* the *Goths*, a people that deriving their *Roots* from the *Northern parts* of *Germany*, or out of *Sweden*, had (through their *Victories* obtained against *Domitian*) long since spread their branches unto so near Neighbourhood with the *Roman Territories*, that they began to Overshade them; for the *Emperours* making use of them in their Arms (as the *French* do at this day of the *Switz*) gave them that, under the notion of *stipend*, which they received as *Tribute*, coming (if there were any

any default in the payment) so often to distrein for it, that in the time of *Honorius* they sacked *Rome*, and possessed themselves of *Italy*. And such was the transition of *Ancient* into *Modern* prudence; or that breach which being followed in every part of the *Roman Empire* with inundations of *Vandals*, *Huns*, *Lombards*, *Franks*, *Saxons*, have overwhelmed ancient Languages, Learning, Prudence, Manners, Cities, changing the Names of *Machiavil*, Rivers, Countries, Seas, Mountains and Men; *Camillus*, *Cæsar* and *Pompey*, being come to *Edmund*, *Richard*, and *Geoffrey*.

To open the ground-work or ballance of these new Politicians: The *Gothick Feudum*, saith *Calvine* the Lawyer, is a *Gothick* word of divers Ballance. significations; for it is taken either for war, or for a possession of conquered Lands, distributed by the Victor unto such of his Captains and Souldiers as had merited in his wars, upon condition to acknowledge him to be their perpetuall Lord, and themselves to be his Subjects.

Of these there were three kinds or orders: The first, of Institution Nobility, distinguished by the Titles of *Dukes*, *Marquesses*, *Earls*, of Feudatory Principality, and these being gratify'd with Cities, Castles, and Villages, of the Conquered *Italians*, their Feuds participated of Royall dignities, and were called *Regalia*; by which they had right to coyn Mony, create Magistrates, take Tole, Customs, Confiscations, and the like.

Feuds of the second order were such as with the consent of the King were bestowed by these Feudatory Princes upon men of inferiour Quality called their *Barons*, on condition that next unto the King they should defend the Dignities and Fortunes of their Lords in Arms.

The lowest order of Feuds were such as being confer'd by those of the second Order upon private men, whether Noble, or not Noble, obliged them in the like duty unto their Superiors, these were called *Vassors*: And this is the *Gothick Ballance*, by which all the Kingdoms this day in *Christendome* were at first erected; for which cause if I had time, I should open in this place the Empire of *Germany*, and the Kingdomes of *France*, *Spain*, and *Poland*; but so much as hath been said being sufficient for the discovery of the principles of *Modern Prudence* in general; I shall divide the remainder of my Discourse, which is more particular, into three parts.

The first, shewing the Constitution of the late Monarchy of *Oceana*.

The second, the Dissolution of the same.

And the third, the Generation of the present Commonwealth.

The Constitution of the late Monarchy of *Oceana*, is to be considered in relation unto the different Nations, by whom it hath been successively subdu'd and govern'd. The first of these were the

the *Romans*, the second the *Teutons*, the third the *Scandians*, and the fourth the *Neustrians*.

The *Government* of the *Romans*, who held it as a *Province*, I shall omit, because I am to speak of their *Provincial Government* in another place; onely it is to be remembred in this, that if we have given over running up and down naked and with dappled hides, learn't to write and read, to be instructed with good Arts, for all these we are beholding to the *Romans* either *immediately*, or *mediately* the *Teutons*; for that the *Teutons* had the Arts from no other hand, is plain enough by their language, which hath yet no word to signifie either writing or reading, but what is derived from the *Latine*. Furthermore, by the help of these arts so learn't, we have been capable of that *Religion* which we have long since received; wherefore it seemeth unto me, that we ought not to detract from the *Memory* of the *Romans*, by whose means we are as it were of *Beasts* become *Men*, and by whose means we might yet of obscure and Ignorant men (*if we thought not too well of our selves*) become a wife and a great *People*.

For the proof of the ensuing discourse out of Records and Antiquities. See *Selden's* Titles of Honour, from page 593. to pag. 837.

The *Romans* having govern'd *Oceana*, *Provincially*, the *Teutons* were the first that introduced the form of the late *Monarchy*: to these succeeded the *Scandians*, of whom (because their *Raign* was short, as also because they made little alteration in the *Government* as to the Form) I shall take no notice. But the *Teutons* going to work upon the *Gothick Ballance*, divided the whole Nation into three sorts of *Feuds*; that of *Ealdorman*, that of *Kings-Thane*, and that of *Middle-Thane*.

The *Teuton Monarchy*.

When the *Kingdom* was first divided into *Precincts*, will be as hard to shew, as when it began first to be governed; it being impossible that there should be any *Government* without some *Division*. The *Division* that was in use with the *Teutons*, was by *Counties*, and every *County* had either his *Ealdorman*, or *high Reeve*. The title of *Ealdorman* came in time to *Eorl*, or *Erle*, and that of *high Reeve* to high *Sheriff*.

Earles.

Earl of the Shire or *County* denoted the *Kings Thane*, or Tenant by *Grand Serjeantry* or *Knights Service* in chief or in *Capite*, his possessions were sometimes the whole *Territory*, from whence he had his *Denomination*, that is, the whole *County*, sometimes more then one *County*, and sometimes lesse, the remaining part being in the *Crown*. He had also sometimes a *third*, or some other *Customary* part of the profits of certain *Cities*, *Boroughs*, or other places within his *Earldom*. For an Example of the possessions of *Earls* in *ancient times*, *Ethelred* had unto him and his Heirs the whole *Kingdom* of *Mercia*, containing *three* or *four Counties*; and there were others that had little lesse.

Kings Thane

Kings Thane was also an honorary Title, unto which he was qualify'd

qualify'd that had *five Hides* of Land held immediately of the King by service of personal attendance ; insomuch that if a *Churle* or *Country Man* had thriven unto this proportion, having a *Church*, a *Kitchin*, a *Bell-house*, (that is, an *Hall* with a *Bell* in it to call his Family to Dinner) a *Borough-gate* with a seat (that is, a *Porch*) of his own ; and any distinct office in the *Kings Court*, then was he the *Kings Thane*. But the proportion of an *Hide-Land*, otherwise called *Caruca*, or a *Plough-land*, is difficult to be understood, because it was not certain, nevertheless it is generally conceived to be so much as may be managed with one *Plough*, and would yield the Maintenance of the same, with the appurtenances in all kinds.

The *Middle-Thane* was feudal, but not honorary ; he was also call'd a *Varosor*, and his Lands a *Varosory*, which held of some *Mesne Lord*, and not immediately of the King. Middle-Thane.

Possessions and their tenures being of this Nature, shew the Ballance of the *Teuton Monarchy* ; wherein the riches of *Earles* was so vast, that to arise from the Ballance of their Dominion unto their power, they were not onely called *Reguli* or little Kings, but were such indeed ; their jurisdiction being of two sorts, either that which was exercised by them in the Court of their Counties, or in the high Court of the Kingdom.

In the Territory denominating an *Earl*, if it were all his own, the Courts held, and the profits of that Jurisdiction were to his own use and benefit. But if he had but some part of his County, then his Jurisdiction and Courts (saving perhaps in those possessions that were his own) were held by him to the Kings use and benefit ; that is, he commonly supply'd the Office which the *Sheriffs* regularly executed in Counties that had no *Earls* ; and whence they came to be called *Vice-comites*. The Court of the County that had an *Earl*, was held by the *Earl* and the *Bishop* of the *Diocese*, after the manner of the *Sheriffs Turns* unto this Day ; by which means both the Ecclesiasticall and Temporal Lawes were given in charge together unto the Country : the causes of *Varosors* or *Varosories* appertained to the Cognizance of this Court, where Wills were proved, Judgment and Execution given ; cases criminall and civill determined. Shiremoot.

The *Kings Thanes* had like jurisdiction in their *Thain-Lands* as Lords in their *Manours*, where they also kept Courts. Halymoot.

Besides these in particular, both the *Earls* and *Kings-Thanes*, together with the *Bishops*, *Abbots*, and *Varosors*, or *Middle-Thanes* had in the High Court or Parliament of the Kingdom a more publick jurisdiction ; consisting, first, of Deliberative power for advising upon, and assenting unto new Lawes. weidengamoots.
Secondly, of giving Counsel in matters of State ; and thirdly, of Judicature upon Suits, and Complaints. I shall not omit to en-

lighten the obscurity of these times, in which there is little to be found of a *Methodical constitution* of this High Court; by the addition of an *Argument*, which I conceive to bear a strong testimony unto it self, though taken out of a late Writing that conceals the Authour. "It is well known (saith he) that in "every quarter of the Realm a great many Boroughs do yet "send Burgessees unto the Parliament, which neverthelesse be "so anciently and so long since decayed and gone to naught, "that they cannot be shew'd to have been of any reputation "since the Conquest, much lesse to have obtained any such "priviledge by the grant of any succeeding King; wherefore "these must have had this right by more ancient usuage, and "before the Conquest; they being unable now to shew "whence they derived it.

This *Argument* (though there be more) I shall pitch upon, as sufficient to prove; *First*, that the lower sort of the people had right unto Session in *Parliament* during the time of the *Teutons*. Secondly, that they were quality'd unto the same by election in their *Boroughs*; and (if *Knights* of the *Shire* (as no doubt they are) be as *ancient*) in the *Countries*: *Thirdly*, if it be a good *Argument* to say, that the *Commons* during the reign of the *Teutons* were elected into *Parliament*, because they are so now, and no man can shew when this custom began; I see not which way it should be an ill one to say, that the *Commons* during the reign of the *Teutons* constituted also a *distinct house*, because they do so now; unlesse any man can shew that they did ever sit in the same House with the *Lords*. Wherefore to conclude this part, I conceive for these, and other reasons to be mentioned hereafter, that the *Parliament* of the *Teutons* consisted of the *King*, the *Lords Spiritual and Temporal*, and the *Commons* of the *Nation*, notwithstanding the style of divers *Acts of Parliament*, which runs as that of *Magna Charta* in the *Kings* name only, seeing the same was neverthelesse enacted by the *King*, *Peers*, and *Commons* of the *Land*, as is testified in those words by a subsequent *Act*.

25 Edw. 3.
Cap. 1.

Monarchy
of the Neu-
strians.

The *Monarchy* of the *Teutons* had stood in this posture about two hundred and twenty years; when *Turbo Duke of Neustria* making his claim to the *Crown* of one of their *Kings* that dyed *Childlesse*, followed it with successful *Arms*; and being possessed of the *Kingdom*, used it as conquered; distributing the *Earldomes*, *Thane Lands*, *Bishopricks* and *Prelacies* of the whole *Realm* amongst his *Neustrians*. From this time the *Earl* came to be called *Comes*, *Consul*, & *Dux*; (though *Consul* & *Dux* grew afterward out of use) The *Kings* *Thanes* came to be called *Barons*, and their *Lands* *Baronies*; the *Middle-Thane* holding still of a mean *Lord*, retained the name of *Vavosfor*.

Their Earls. The *Earl* or *Comes* continued to have the third part of the pleas

pleas of the *County* paid unto him by the *Sheriff* or *Vice-comes*; now a distinct *Officer* in every *County* depending upon the *King*; saving that such *Earls* as had their *Counties* to their own use, were now *Counts-Palatine*, and had under the *King* *Regal Jurisdiction*; insomuch that they constituted their own *Sheriffs*, granted *Pardons*, and issued *Writs* in their own names; nor did *Kings* *Writ* of ordinary Justice run in their *Dominions*, 27 H. 8. till a late Statute whereby much of this privilege was taken away.

For *Barons*, they came from henceforth to be in different *Their Bar-*
times of three kinds. *Barons* by their *estates* and *Tenures*, *Barons* *rons,*
by writ, and *Barons* created by *Letters Patents*. From *Turbo* the
first to *Adonius* the seventh *King* from the *Conquest*, *Barons* had
their Denomination from their *Possessions* and *Tenures*: and
these were either *Spiritual* or *Temporal*; for not onely the
Thane Lands, but the possessions of *Bishops*, as also of some
twenty six *Abbots*, and two *Priors* were now erected into *Baro-*
nies, whence the *Lords Spiritual* that had Suffrage in the *Teuton*
Parliament, as *Spiritual Lords* came to have it in the *Neustrian*
Parliament as *Barons*: and were made subject (which they had
not formerly been) unto *Knights* service in chief. *Barony* com-
ming henceforth to signifie all honorary possessions, as well
of *Earls* as *Barons* and *Baronage*, to denote all kinds of *Lords*
as well *Spiritual* as *Temporal*, having right to sit in *Parliament*,
the *Baronies* in this sense were sometimes more, and sometimes
fewer, but commonly about 200, or 250, containing in them
a matter of sixty thousand *feuda militum*, or *Knights fees*, where-
of some twenty eight thousand were in the *Clergy*. It is ill
luck that no man can tell what the land of a *Knights fee* (recko-
ned in some *Writs* at 40 l. a year, and in others at 10.) was
certainly worth; for by such an help we might have exactly
demonstrated the *Ballance* of this *Government*: But sayes *Cook*, *Cook. 11.*
it contained twelve *plough lands*, and that was thought to be *Inst. pag.*
the most certain account: but this again is extreemly 596.
uncertain, for one *Plough* out of some *Land* that was fruitfull
might work more than ten out of some other that was *barren*;
Nevertheless, seeing it appeareth by *Bracton*, that of *Earldoms* *Ballance of*
and *Baronies* it was wont to be said, that the whole *Kingdome* *the Neu-*
was composed: as also, that these consisting of 60000 *Knights* *strian Mo-*
fees, furnisht 60000 men for the *Kings* service, being the whole *narchy.*
Militia of this *Monarchy*, it cannot be imagined, that the *Va-*
vassories, or *Freeholds* in the people amounted to any considera-
ble proportion. Wherefore the *Ballance* and *Foundation* of this
Government was in the 60000 *Knights fees*, and these being
possessed by the 250 *Lords*, it was a *Government* of the *Few*, or of
the *Nobility*; wherein the people might also assemble, but
could have no more than a meer name. And the *Clergy* hold-
ing

4 Rich. 2.
Num. 13.

ing a third to the whole *Nation* as is plaine by the *Parliament Rolle* ; it is an absurdity (seeing the *Clergy* of *France* came first through their riches to be a state of that *Kingdome*) to acknowledge the *people* to have beene a state of this *Realme*, and not to allow it unto the *Clergy*, who were so much more weighty in the *Ballance* , which is that of all other whence a state or order in a *Government* is denominated : wherefore this *Monarchy* consisted of the *King*, and of the three (*Ordines Regni*, or) *Estates* , the *Lords spirituall* and *temporall* , and the *Commons* : It consisted of these I say as to the *ballance* , though during the *raigne* of some of these *Kings*, not as to the administration.

Administration
of the *New-
strian Monar-
chy* during the
raigne of the
first kings

For, the ambition of *Turbo*, and some of those that more immediately succeeded him to be absolute *Princes*, strove against the nature of their *Foundation* , and, in as much as he had divided almost the whole *Realme* among his *Newstrians*, with some incouragement for a while. But the *Newstrians* while they were but forraigne *Plants*, having no security against the *Natives*, but in growing up by their *Princes* sides, were no sooner well rooted in their vast *Dominions* , than they came up according to the infallible consequence of the *Ballance Doimesticke* , and contracting the *Nationall* interest of the *Baronage* grew as fierce in the *Vindication* of the *Auncient rights and liberties* of the same, as if they had beene alwaies *Natives* : Whence, the *Kings* being as obstinate on the one side for their *absolute power* , as these on the other for their *immunities* , grew certaine *Wars* which tooke their *Denomination* from the *Barons*.

Barons by
Writ.

This fire about the middle of the *raigne* of *Adoxus* began to break out ; And whereas the predecessors of this *King* , had diverse times beene forced to summon *Councils* ; resembling those of the *Teutons* , unto which the *Lords* only that were *Barons* by *Dominion and Tenure* had hitherto repaired ; *Adoxus* seeing the effects of such *Dominion* , began first (not to call such as were *Barons* by *writs*, for that was according to the practice of *antient times*, but) to call such by *writs* as were otherwise no *Barons*, by which meanes striving to avoid the consequence of the *Ballance* , in coming unwillingly to set the *Government* straight , he was the first that set it awry. For the *Barons* in his *raigne* , and his successors, having vindicated their *antient Authority* , restored the *Parliament* with all the rights and *Priviledges* of the same, saving that from thenceforth the *Kings* had found out a way whereby to help themselves against the mighty creatures of their own, and such as had no other support but by their favour. By which meanes this *Government* being indeed the *Master-piece of Moderne Prudence* hath beene cry'd up to the *Skies*, as the only invention , whereby at once to maintaine the *soveraignty* of a *Prince*, and the *liberty* of the *people* : whereas indeed it hath beene no other than

a wrestling match, wherein the *Nobility*, as they have been stronger have thrown the *King*; or the *King* if he have been stronger, hath thrown the *Nobility*: or the *King* where he hath had a *Nobility*, and could bring them to his party, hath thrown the *people*, as in *France* and *Spain*: or the *people* where they have had no *Nobility*, or could get them to be of their party, have thrown the *King*, as in *Holland*, and of latter times in *Oceana*. But they came not to this strength but by such ap- 49 H. 3: proaches and degrees, as remain to be further opened. For whereas the *Barons* by *Writts* (as the sixty four *Abbots*, and thirty six *Priors* that were so called) were but *pro tempore*. *Dicotome* being the twelfth *King* from the *Conquest*, began to make *Barons* by *Letters Patents*: with the Addition of honorary *Pensions* for the Maintenance of their *Dignities* to them, and their *Heirs*; so that they were hands in the *Kings Purse*, and had no *shoulders* for his *Throne*. Of these when the house of *Peers* came once to be full, as will be seen hereafter, there was nothing more empty. But for the present, the *Throne* having other supports, they did not hurt that so much as they did the *King*: For the old *Barons* taking *Dicotome's* prodigality to such creatures so ill, that they deposed him; got the trick of it, and never gave over setting up, and pulling down of their *Kings* according to their various interests, and that faction of the *white and Red* into which they had been thenceforth divided, till *Panurgus* the eighteenth *King* from the *Conquest* was more by their favour than his right advanced unto the *Crown*. This *King* through his naturall subtilty reflecting at once upon the greatnesse of their power, and the inconstancy of their favour, began to find another flaw in this kind of *Government*, which is also noted by *Machiavill*; namely, that a *Throne* supported by a *Nobility*, is not so hard to be ascended, as kept warm. Wherefore his secret jealousie left the *Dissention* of the *Nobility*, as it brought him in, might throw him out, travelled in wayes undiscover'd by them, unto ends as little foreseen by himself: while to establish his own safety, he by mixing water with their *Wine*, first began to open those *Sluces* that have since overwhelmed not the *King* onely, but the *Throne*: For whereas a *Nobility* striketh not at the *Throne* without which they cannot subsist, but at some *King* that they do not like; *Popular power* striketh through the *King* at the *Throne*, as that which is incompatible with it. Now that *Panurgus* in abating the power of the *Nobility*, was the cause whence it came to fall into the hands of the *people*, appears by those severall *Statutes* that were made in his reign; as that for *Population*; those against *Retainers*; and that for *Alienations*.

By the Statute of *Population*, All houses of husbandry that were used with twenty Acres of ground and upwards, were

to be maintained, and kept up for ever with a competent proportion of Land laid to them, and in no wise, as appears by a subsequent Statute to be severed. By which means the houses being kept up, did of necessity inforce dwellers; and the proportion of Land to be tilled being kept up, did of necessity inforce the dweller not to be a *beggar* or *Cottager*; but a man of some substance that might keep friends and servants, and set the *Plough* on going: this did mightily concern (saith the *Historian* of that *Prince*) the might and manhood of the *Kingdom*, and in effect *amortize* a great part of the Lands unto the hold and possession of the *Yeomanry*, or *middle people*, who living not in a servile or indigent fashion, were much unlinked from dependance upon their *Lords*, and living in a free and plentiful manner, became a more excellent *Infantry*; but such an one upon which the *Lords* had so little power, that from henceforth they may be computed to have been disarmed.

And as they lost their *Infantry* after this manner, so their *Cavalry* and *Commanders* were cut off by the Statute of *Retainers*; for whereas it was the Custome of the *Nobility* to have younger Brothers of good houses, *metall'd fellows*, and such as were knowing in the feats of Arms about them; they who were longer followed with so dangerous a train, escaped not such punishments, as made them take up.

Henceforth the Country-lives, and great tables of the *Nobility*, which no longer nourished veins that would bleed for them, were fruitlesse and loathsome till they changed the *Air*, and of *Princes* became *Courtiers*, where their *Revenues*, never to have been exhausted by *Beef* and *Mutton*, were found narrow, whence followed *wracking of Rents*, and at length sale of *Lands*; the riddance through the Statute of *Alienations* being rendred far more quick and facile, than formerly it had been through the new invention of *intails*.

To this it happened, that *Coraunus* the Successour of that *King* dissolving the *Abbeys*, brought with the declining estate of the *Nobility* so vast a prey unto the Industry of the people, that the *Ballance* of the *Common-wealth* was too apparently in the *Popular party*; to be unseen by the wise Council of *Queen Parthenia*, who converting her reign through the perpetuall Love-tricks that passed between her and her people into a kind of *Romanze*; wholly neglected the *Nobility*. And by these degrees came the House of *Commons* to raise that head, which since hath been so high and formidable unto their *Princes*; that they have looked pale upon those assemblies. Nor was there any thing now wanting unto the destruction of the *Throne*, but that the *people* not apt to see their own strength, should be put to feel it; when a *Prince*, as stiffe in disputes as the nerve of *Monarchy* was grown slack, received that unhappy encouragement

ment from his *Clergy*, which became his utter Ruine, while trusting more unto their *Logick*, than the rough *Philosophy* of his *Parliament*, it came unto an irreparable breach; for the house of *Peers* which alone had stood in this Gap, now sinking down between the *King* and the *Commons*, shewed that *Crassus* was dead, and *Isthmus* broken. But a *Monarchy* divested of her *Nobility*, hath no refuge under Heaven, but an *Army*. *Wh*. therefore the dissolution of this Government caused the war, not the war the dissolution of this Government.

Of the *Kings* successe with his *Arms* it is not necessary to give any further account, than that they proved as ineffectuall as his *Nobility*; But without a *Nobility* or an *Army* (as hath been shew'd) there can be no *Monarchy*. Wherefore what is there in Nature, that can arise out of these ashes; but a *Popular Government*, or a new *Monarchy* to be erected by the victorious *Army*?

To erect a *Monarchy* be it never so new, unlesse like *Leviathan* you can hang it (as the Country fellow speaks) by *Geometry*, (for what else is it to say, that every other man must give up his will unto the will of this one man without any other *Foundation*?) it must stand upon old principles, that is, upon *Nobility* or an *Army* planted upon a due *Ballance* of *Dominion*: *Aut viam inveniam aut faciam*, was an *Adage* of *Cæsars*; and there is no standing for a *Monarchy* unlesse she find this *Ballance* or make it. If she find it, her work's done unto her hand; for, where there is inequality of *Estates*, there must be inequality of *Power*; and where there is inequality of *Power*, there can be no *Common-wealth*. To make it, her sword must extirpate out of *Dominion* all other roots of power, and plant her *Army* upon that ground: an *Army* may be planted *Nationally* or *Provincially*. To plant it *Nationally*, it must be in one of the four wayes mentioned, that is; either *Monarchically* in part, as the *Roman Beneficarii*; or *Monarchically* in the whole as the *Turkish Timariot*; *Aristocratically*, that is, by *Earls* and *Barons*, as the *Neustrians* were planted by *Turbo*: or *Democratically*, that is, by equall lots, as the *Israelitish Army* in the Land of *Canaan* by *Joshuah*; in every one of these wayes there must not only be confiscations, but confiscations unto such a proportion as may answer to the work intended.

Confiscation of a *people* that never fought against you, but whose *Arms* you have born, and in which you have been victorious, and this upon premeditation, and in cool blood, I should have thought to be against any example in humane Nature, but for those alledged by *Machiavill* of *Agathocles*, and *Oliverteto da Fermo*: The former whereof being Captain General of the *Syracusans*, upon a day assembled the *Senate* and the *people*, as if he had something to communicate with them, when at a sign gi-

ven he cut the *Senators* in pieces to a man, and all the richest of the *people*, by which means he came to be *King*. The proceedings of *Oliveretto* in making himself *Prince of Fermo*, was somewhat different in circumstances, but of the same Nature. Neverthelesse *Catiline*, who had a spirit equall to any of these in his intended mischief, could never bring the like to passe in *Rome*. The head of a small *Common-wealth*, such an one as was that of *Syracusa* or *Fermo*, is easily brought unto the *Block*; but that a *populous Nation* such as *Rome*, had not such an one, was the griet of *Nero*. If *Sylla* or *Cesar* attained to be *Princes*, it was by *Civill War*, and such civil War as yielded rich spoils; there being a vast *Nobility* to be confiscated; which also was the case in *Oceana*; when it yielded earth by *Earldoms* and *Baronies* to the *Neustrian*, for the plantation of his new *Potentates*. Where a *Conquerour* finds the riches of a Land in the hands of the *Few*, the forfeitures are easie, and amount to vast advantage; but where the *people* have equall shares, the confiscation of many comes to little; and is not only dangerous, but fruitlesse.

The *Romans* in one of their defeats of the *Volsci* found among the captives certain *Tusculans*, who upon examination confest, that the *Arms* they bore, were by command of their State: whereupon information being given to the *Senate* by the Generall *Camillus*, he was forthwith commanded to march against *Tusculum*; which doing accordingly, he found the *Tusculane* fields full of *Husbandmen*, that stirred not otherwise from the *Plough*, than to furnish his Army with all kind of accommodations and *Victualls*; drawing near to the *City*, he saw the *Gates* wide open, the *Magistrates* coming out in their *Gowns* to salute and bid him welcome: entring, the *Shops* were all at work, and open: the streets sounded with the noise of *School-boys* at their books, there was no face of *war*. Whereupon *Camillus* causing the *Senate* to assemble, told them, That though the Art was understood, yet had they at length found out the true *Arms* whereby the *Romans* were most undoubtedly to be conquered, for which cause he would not anticipate the *Senate*, unto which he desired them forthwith to send, which they did accordingly; and their *Dictator* with the rest of their *Ambassadours* being found by the *Roman Senators* as they went into the house standing sadly at the Door, were sent for in as friends, and not as *Enemies*. Where the *Dictator* having said, If we have offended, the fault was not so great as is our *penitence*, and your *virtue*. The *Senate* gave them peace forthwith, and soon after made the *Tusculanes* *Citizens of Rome*.

But putting the case, of which the World is not able to shew an *Example*, that the forfeiture of a *populous Nation*, not conquer'd, but friends, and in cool blood, might be taken;

Your

Your *Army* must be planted in one of the wayes mentioned; To plant it in the way of absolute *Monarchy* that is upon *feuds* for life, such as the *Timars*, a Country as large and fruitfull as that of *Greece*, would afford you but *sixteen thousand Timariots*, for that is the most the *Turk* (being the best husband that ever was of this kind) that makes of it at this day: and if *Oceana*, which is lesse in fruitfulness by one half, and in extent by three parts, should have no greater a force, whoever breaketh her in one battle, may be sure she shall never rise; for such (as was noted by *Machiavill*) is the Nature of the *Turkish Monarchy*, if you break her in two battles, you have destroyed her whole *Militia*; and the rest being all slaves, you hold her without any further resistance: Wherefore the erection of an absolute *Monarchy* in *Oceana*, or in any other Country that is no larger, without making it a certain prey unto the first invader, is altogether impossible.

To plant by halves as the *Roman Emperours* did their *Beneficiaries*, or *military Colonies*, it must be either for life; and this an *Army* of *Oceaners* in their own Country, (especially having states of inheritance) will never bear, because such an *Army* so planted is as well confiscated as the people, nor had the *Mamelines* been contented with such usage in *Egypt*, but that they were *Forraigners*, and daring not to mix with the *Natives*, it was of absolute necessity to their Being.

Or planting them upon inheritance, whether *Aristocratically* as the *Neustrians*, or *Democratically*, as the *Israelites*, they grow up by certaine consequence into the *Nationall interest*, and this if they be planted popularly comes unto a *Common-wealth*; if by way of *Nobility* unto a *mixed Monarchy*, which of all other will be found to be the only kind of *Monarchy*, whereof this *Nation* or any other that is of no greater extent hath beene or can be capable: for if the *Israelites* (through their *Democraticall Balance* being fixed by their *Agrarian* stood firme,) be yet found to have elected *Kings*, it was because their *Territory* lying open they were perpetually invaded, and being perpetually invaded turned themselves to any thing, which through the want of experience they thought might be a remedy; whence their mistake in election of their *Kings*, (under whom they gain'd nothing, but to the contrary lost all they had acquired by their *Common-wealth*, both *Estates* and *Liberties*;) is not only apparent, but without parallell. And if there have beene (as was shewne) a *Kingdom* of the *Goths* in *Spain*, and of the *Vandalls* in *Asia*, consisting of a single person, and a *Parliament*, (taking a *Parliament* to be a *Councill* of the people only, without a *Nobility*) it is expressly said of those *Councils*, that they deposed their *Kings* as often as them pleased: nor can there be other consequence of such a *Government*, seeing where there is a

Councill of the *people*, they do never receive *Lawes*, but give them; and a Councill giving *Lawes* unto a *single person*, he hath no meanes in the *World*, whereby to be any more than a subordinate *Magistrate*, but force: in which case, he is not a *single person* and a *Parliament*, but a *single person* and an *Army*, which *Army* again must be planted as hath been shewn, or can be of no long Continuance.

It is true, that the *Provincial Ballance* being in Nature quite contrary unto the *National*, you are no wayes to plant a *Provincial Army* upon *Dominion*. But then you must have a native *Territory* in strength, *Situation*, or *Government* able to overbalance the *forreign*, or you can never hold it. That an *Army* should in any other case be long supported by a meer *Tax*, is a meer *Phanſie* as void of all reason and Experience, as if a man should think to maintain such an one by robbing of *Orchards*: for a meer *Tax* is but pulling of *Plumbtrees*, the roots whereof are in other mens grounds, who suffering perpetuall violence, come to hate the Author of it: And it is a *Maxime*, that no *Prince* that is hated by his people can be safe. *Arms* planted upon *Dominion* extirpate enemies, and make friends; but maintained by a meer *Tax*, have enemies that have roots, and friends that have none.

To conclude, *Oceana*, or any other Nation of no greater extent must have a competent *Nobility*, or is altogether incapable of *Monarchy*: for where there is equality of estates, there must be equality of power; and where there is equality of power, there can be no *Monarchy*.

The generation of the Common-wealth.

To come then to the generation of the *Common-wealth*; it hath been shewn how through the wayes and means used by *Papurgus* to abase the *Nobility*, and so to mend that flaw which we have asserted to be incurable in this kind of *Constitution*, he suffered the *Ballance* to fall into the power of the *people*, and so broke the *Government*: but the *Ballance* being in the *people*, the *Common-wealth* (though they do not see it) is already in the Nature of them: (*Cornua nota prius Vitulo, quàm frontibus extant*) there wanteth nothing else but *time*, (which is slow and dangerous) or *art*, (which would be more quick and secure) for the bringing those native *Arms* (wherewithall they are found already) to resist they know not how every thing that opposeth them, unto such maturity as may fix them upon their own strength and *Bottom*.

what Prudence is.

But whereas this *Art* is *Prudence*; and that part of *Prudence*, which regards the present work, is nothing else but the skill of raising such *Superstructures* of *Government*, as are natural to the known *Foundations*: they never mind the *Foundation*, but through certain *animosities*, (wherewith by striving one against another they are infected) or through *freaks* by which not regarding

garding the course of things, nor how they conduce unto their purpose, they are given to building in the *Air*, come to be divided and subdivided into endlesse parties and factions, both *Civill*, and *Ecclesiastical*: which briefly to open, I shall first speak of the *people* in generall, and then of their divisions.

A *people* (saith *Machiavill*) that is *corrupt*, is not capable of a *Common-wealth*: but in shewing what a *corrupt people* is, he hath either involved himself or me; nor can I otherwise come out of the *Labyrinth*, than by saying, that the *Ballance* altering a *people* as to the foregoing *Government*, must of necessity be *corrupt*; but *corruption* in this sense signifieth no more then that the *corruption of one Government* (as in *natural bodies*) is the *generation of another*: wherefore if the *Ballance* alter from *Monarchy*, the *corruption of the people* in this case is that which maketh them capable of a *Common-wealth*: But whereas I am not ignorant, that the *corruption* which he meaneth is in *Manners*, this also is from the *Ballance*. For the *Ballance* swaying from *Monarchical* into *Popular*, abateth the *Luxury* of the *Nobility*, and enriching the *people*, bringeth the *Government* from a more *private* unto a more *publick* interest, which coming nearer, as hath been shewn, unto *Justice* and *right Reason*, the *people* upon a like alteration is so far from such *corruption of Manners*, as should render them incapable of a *Common-wealth*, that of necessity they must thereby contract such reformation of *manners* as will bear no other kind of *Government*. On the other side, where the *Ballance* changeth from *Popular* to *Oligarchical*, or *Monarchical*; the *publick* interest with the *reason* and *justice* included in the same, becometh more *private*, *Luxury* is introduced in the place of *Temperance* and *Servitude* in that of *Freedom*; which causeth such a *corruption of manners* both in the *Nobility* and the *people*, as by the *Example of Rome* in the time of the *Triumvirs*, is more at large discovered by the *Author* to have been altogether incapable of a *Common-wealth*.

But the *Ballance* of *Oceana* changing quite contrary to that of *Rome*, the *manners* of the *people* were not thereby *corrupted*, but on the contrary fitted for a *Common-wealth*. For differences of opinion in a *people* (not rightly informed of their *Ballance*;) or division into parties, while there is not any common *ligament* of power sufficient to reconcile or hold them, is no sufficient proof of *corruption* in a *people*: Neverthelesse, seeing this must needs be matter of *Scandall* and *danger*, it will not be amisse in shewing what were the parties, to shew what were their errors.

The parties into which this *Nation* was divided, were *Temporal* or *Spiritual*; and the *Temporal* parties were especially two, the one the *Royalists*, the other *Common-wealths-men*; each of which asserted their different *Causes*, either out of *Prudence* or *Ignorance*; out of *interest* or *Conscience*. For

The Royalist For *Prudence*, either that of the *Ancients* is inferiour unto the *Modern*, (which we have hitherto been letting face to face, that any one may judge) or that of the *Royalists* must be inferiour unto that *prudence* of the *Common-wealths-man*: and for interest, taking the *Common-wealths-man* to have really intended the *publick* (for otherwise he is an *hypocrite*, and the worst of men) that of the *Royalist* must of necessity have been more *private*: wherefore the whole dispute will come upon matter of *Conscience*; and this, whether it be urged by the right of *Kings*, the obligation of former *Lawes*, or of the *Oath of Allegiance*, is absolved by the *Ballance*.

For if the right of *Kings* were as immediately derived from the breath of *God*, as the life of man; yet this excludeth not death and dissolution. But, that the dissolution of the late *Monarchy* was as natural as the death of a man, hath been already shewn: wherefore it remains with the *Royalists* to discover by what reason or experience it is possible for a *Monarchy* to stand upon a popular *Ballance*; or, the *Ballance* being popular as well the *Oath of Allegiance*, as all other *Monarchical Lawes*, imply an impossibility, and are therefore void.

The Common-wealths man.

To the *Common-wealths-man* I have no more to say, but that if he exclude any party, he is not truly such; nor shall ever found a *Common-wealth* upon the natural principle of the same, which is *Justice*: and the *Royalist* for having opposed a *Common-wealth* in *Oceana* (where the *Lawes* were so ambiguous, that they might be eternally disputed, and never reconciled) can neither be *justly*, for that cause, excluded from his full and equall share in the *Government*; nor *prudently*, for this, that a *Common-wealth* consisting of a party will be in perpetuall labour of her own destruction: whence it was, that the *Romans* having conquered the *Albans* incorporated them with equall right into the *Common-wealth*: and if the *Royalists* be *flesh of your flesh*, and nearer of blood then were the *Albans* to the *Romans*, you are also *Christians*: neverthelesse there is no reason that a *Common-wealth* should any more favour a party remaining in fixed opposition against her, then *Brutus* did his sons. But if she fix them upon that opposition, it is her fault, not theirs, and this is done by excluding them. Men that have equall possessions, and the same security of their estates and of their liberties that you have, have the same cause with you to defend; but if you will be *trampling*, they fight for *liberty*, though for *Monarchy*; and you for *Tyranny*, though under the name of a *Common-wealth*; the nature of orders in a *Common-wealth* rightly instituted being void of all *Jealousie*, because let the parties which she imbraceth be what they will, her orders are such, as they neither would resist if they could, nor could if they would, as hath in part been already shewn;

shewn, and will appear more at large by the ensuing *Model*.

The parties that are *Spiritual* are of more kinds then I need *Religious* mention; some for a *National Religion*, and others for *liberty parties* of *Conscience*, with such animosity on both sides, as if these two did not consist, of which I have already sufficiently spoken; to shew, that the one cannot well consist without the other. But they of all the rest are the most dangerous, who holding that the *Saints* must govern, go about to reduce the *Common-wealth* unto a party, as well for the reasons already shewn, as that their pretences are against Scripture, where the *Saints* are commanded to submit unto the *higher powers*, and be *subject* unto the *Ordinance of man*. And; that men pretending under the notion of *Saints* or *Religion*, unto *Civil Power*, have hitherto never failed to dishonour that profession; the *world* is full of *Examples*, whereof I shall confine my self at the present unto two, the one of *old*, the other of *new Rome*.

In *old Rome* the *Patricians* or *Nobility*, pretending to be the *Saints*; *Godly party*, were questioned by the *People* for ingrossing all the *Magistracies* of that *Common-wealth*, had nothing to say why they did so, but (*Quod nemo plebeius auspiciâ haberet*) that *Magistracy* required a kind of holiness which was not in the *people*. (*Plebs ad id maximâ indignatione exarsit, quod auspiciari tanquam inuisi Diis immortalibus negarentur posse*) at which the *people* were filled with such indignation, as had come to cutting of *throats*, if the *Nobility* had not forthwith laid by the insolency of that *plea*: which neverthelesse when they had done; the *people* for a long time after continued to elect none other than *Patrician Magistrates*. *Livy, 4. 8.*

The *Example* of *new Rome* in the rise and practice of the *Hierarchy*, (too well known to require any further illustration) is far more immodest.

This hath been the course of *Nature*: and when it hath pleased, or shall please *God* to introduce any thing that is above the course of *Nature*, he will as he hath alwayes done, confirm it by *miracle*; for so in his *Prophecie* of the raige of *Christ* upon earth, he expressly promiseth; seeing that the *soules* of them that were beheaded for *Jesus*, shall be seen to live and raige with him, which will be an *object* of *sence*; the rather, because the rest of the dead are not to live again untill the *Thousand years* be finished. And it is not lawfull for men to perswade us that a thing is, though there be no such *object* of our *sence*, which *God* hath told us shall not be, untill it be an *object* of our *sence*.

The *Saintship* of a *people* as to *Government* consisteth in the election of *Magistrates* fearing *God*, and hating *covetousnesse*, and not in their confining themselves, or being confined unto men of this, or that *party* or *profession*. It consisteth in making

ing the most *prudent* and *religious* choyce that they can, but not in trusting unto men, but, next *God*, in their orders. *Give us good men and they will make us good Lawes*, is the *Maxime* of a *Demagogue*, and (through the alteration which is commonly perceivable in men, when they have power to work their own wills) exceeding *fallible*. But *give us good orders, and they will make us good men*, is the *Maxime* of a *Legislator*, and the most *infallible* in the *Politickes*.

* the Errors
of the people
are from
their Govern-
ours.

But these divisions, (however there be some good men, that looke sadly on them) are triviall things; first (as to the *civill concernment*) because the *Government* whereof this *Nation* is capable * once seene taketh in all *interests*. And secondly, (as to the *spiritual*) because as pretence of *Religion* hath alwaies beene turbulent in broken *Governments*, so where the *Government* hath beene sound and steddy, *Religion* hath never shew'd her selfe with any other face than that of her *naturall sweetnesse, and tranquillity*: nor is there any reason why she should; Wherefore the *errours* of the *people* are occasioned by their *Governours*. If they be doubtfull of the way, or wander from it, it is because their *guides* mislead them; and the *guides* of the *people* are never so well qualified for leading by any *vertue* of their own, as by that of the *Government*.

The *Government* of *Oceana*, (as it stood at the time whereof we discourse consisting of one single Councill of the *people*, to the exclusion of the *King*, and of the *Lords*,) was called a *Parliament*; how be it the *Parliaments* of the *Teutons* and of the *Neustrians* consisted as hath beene shew'd of the *King*, *Lords* and *Commons*; wherefore this under an old name was a new thing. A *Parliament* consisting of a single assembly elected by the *people* and invested with the whole power of the *Government*, without any *Covenants*, *Conditions*, or orders whatsoever. So new a thing that neither *auncient* nor *moderne Prudence* can shew any avow'd example of the like: And there is scarce any thing that seemeth unto me so strange as that (whereas there was nothing more familiar with these Counsellors than to bring the *Scripture* to the *House*) there should not be a man of them, that so much as offerd to bring the house unto the *Scripture*, wherein as hath beene shewne is contained that *Originall*, whereof all the rest of the *Common-wealths* seeme to be copies. Certainly if *Leviathan* (who is surer of nothing than that a popular *Common-wealth* consisteth, but of one Councill) transcribed his doctrine out of this *Assembly*, for him to except against *Aristotle* and *Cicero* for writing out of their own *Common-wealths*, was not so fair play; or if the *Parliament* transcribed out of him, it had beene an honour better due unto *Moses*. But where one of them should have an *Example*, but from the other, I cannot imagine; there being nothing of this kind that I can find in story but the

Oligarchy

Oligarchy of Athens, the thirty Tyrants of the same, and the Roman Decemvirs.

For the *Oligarchy*, *Thucydides* tells us that it was a *Senate* or *Councill* of foure hundred, pretending to a *Ballancing Councill* of the people consisting of five thousand but not producing them, wherein you have the definition of an *Oligarchy*, which is a single *Councill* both debating and resolving, dividing and choosing; and what that must come to, was shewne by the Example of the *Girles*, and is apparent throughout all experience; wherefore the thirty set up by the *Lacedemonians*, (when they had conquered *Athens*) are called *Tyrants* by all *Authors*; *Leviathan* only excepted, who will have them against all the World to have been an *Aristocracy*; but for what reason I cannot imagine, these also as voyd of any *Ballance* having been void of that which is essentiall to every *Common-wealth*, whether *Aristocraticall* or *Popular*; except he be pleased with them in that, by the *Testimony* of *Xenophon*, they killed more men in eight *Moneths*, then the *Lacedemonians* had done in ten yeares: oppressing the people (to use *Sir. Wa: Raleighs* words) with all bale and intolerable slavery.

Lib. 8.

The usurped Government of the *Decemvirs* in *Rome* was of the same kind. Wherefore in the feare of God let *Christian Legislators*, (setting the patterne, given in the *Mount* on the one side, and these execrable *Examples* on the other) know the right hand from the left; and so much the rather because those things, which do not conduce to the good of the *Governed*, are fallacious, if they appeare to be good for the *Governours*. God in chastizing a people is accustomed to burne his Rod: The *Empire* of these *Oligarchies* was not so violent as short, nor did they fall upon the people but in their own immediate ruine. A *Councill* without a *Ballance* is not a *Common-wealth*, but an *Oligarchy*; & every *Oligarchy*, except she be put to the defence of her wickedness, or power, against some outward danger, is factious: Wherefore the errours of the people being from their *Governours* (which *Maxim* in the *Politicks* bearing a sufficient testimony unto it selfe, is also proved by *Machiavill*) if the people of *Oceana* have beene factious, the cause is apparent; But what remedy?

In answer to this question, I come now to the *Army*: of *The Generall* which the most victorious *Captaine* and incomparable patriot *ral. Olphaus Megaletor* was now *Generall*: Who being a much greater master of that art, whereof I have made a rough draught in these *Preliminaries*, had so sad reflections upon the waies and proceedings of the *Parliament*, as cast him upon books, and all other meanes of diversion, among which he happened upon this place of *Machiavill*. "Thrice happy is that people which chanceth to have a man able to give them such a Government at once, as with-

“out alteration may secure them of their liberties : Seeing it is cer-
 “taine, that Lacedemon in observing the Lawes of *Lycurgus*, conti-
 “nued about eight hundred yeares without any dangerous tumult or
 “corruption. My Lord Generall (as it is said of *Themistocles*,
 that he could not sleepe for the glory obtained by *Miltiades* at
 the battle of *Maratho*) took so new, and deepe impressiō at
 these words of the much greater glory of *Lycurgus*, that being
 on this side assaulted with the emulation of his illustrious object,
 on the other with the misery of the Nation, which seemed, (as
 it were ruined by his *Victory*) to cast her selfe at his feete, he
 was almost wholly deprived of his naturall rest, untill the de-
 bate he had within himselfe, came to a firme resolution,
 that the greatest advantages of a *Common-wealth* are, first that the
Legislator should be one man : and secondly that the *Government*
 should be made altogether, or at once. For the first it is cer-
 taine saith *Machiavill*, that a *Common-wealth* is seldome or never
 well turned or constituted, except it have been the work of one
 man : for which cause a wise *Legislator*, and one whose mind is
 firmly set, not upon private but the publick interest, not upon
 his posterity but upon his Country, may justly endeavour to
 get the soveraigne power into his own hands; nor shall any man
 that is master of reason blame such extraordinary meanes as
 in that case shall be necessary, the end proving no other, than
 the constitution of a well ordered *Common-wealth*. The reason
 of this is demonstrable; for the ordinary meanes not failing, the
Common-wealth hath no need of a *Legislator*; but the ordinary
 meanes failing, there is no recourse to be had but to such as are
 extraordinary. And, whereas a Book or a Building hath not
 been known to attaine to perfection, if it have not had a sole
Author, or *Architect* : a *Common-wealth*, as to the Fabrick of it, is
 of the like nature. And thus it may be made at once; in which,
 there be great advantages : for a *Common-wealth* made at once,
 taketh her Security at the same time. she lendeth her Money;
 trusteth not her selfe to the faith of men, but lancheth imme-
 diately forth into the *Empire of Lawes* : and being set streight
 bringeth the manners of her Citizens unto her rule : whence fol-
 lowed that uprightness which was in *Lacedemon*. But man-
 ners that are rooted in men, bow the tenderneffe of a *Common-wealth*
 coming up by twigs unto their bent; whence followed
 the obliquity that was in *Rome*, and those perpetuall repaires
 by the *Consuls Axes* and *Tribunes Hammers*, which could never
 finish that *Common-wealth* but in destruction.

My Lord Generall being clear in these points, and the neces-
 sity of some other course than would be thought upon by the
Parliament, appointed a *Rendezvous* of the Army; where he
 spoke his sense agreeable to these *Preliminaries* with such suc-
 cesse,

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That a Le-
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That a Com-
mon-wealth
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once.

cessie unto the *Souldiery*, that the *Parliament* was soon after deposed ; and himself (in the great Hall of the *Pantheon* or *Palace of Justice*, scituated in *Emporium* the *Capital City*) created by the universall suffrage of the *Army*, *Lord Archon*, or sole *Legislator* of *Oceana* ; upon which *Theater* you have, to conclude this piece, a *Person* introduced, whose *Fame* shall never draw his *Curtain*.

The *Lord Archon* being created, fifty select persons to assist him (by labouring in the *Mines* of *ancient Prudence*, and bringing her hidden *Treasures* unto new light) were added, with the style also of *Legislators*, and sate as a *Council* whereof he was the sole *Director* and *President*.

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The Council of Legislators.

OF this Piece, being the greater half of the whole Work, I shall be able at this time to give no farther Account; then very briefly to shew at what it aymes.

My Lord Archon in opening the Council of Legislators, made it appear how unsafe a thing it is to follow *Phausie* in the Fabrick of a *Common-wealth*; and how necessary that the Archives of ancient prudence should be ransackt, before any Counsellour should presume to offer any other matter in order to the Work in hand, or towards the consideration to be had by the Council upon a Modell of Government. Wherefore he caused an Urn to be brought, and every one of the Counsellours to draw a Lot; by the Lots as they were drawn.

The Common-wealth	{	of Israel,	} fell unto	{	<i>Phosphorus de Auge.</i>
		of Athens,			<i>Navarchus de Paralo.</i>
		of Lacedemon,			<i>Laco de Scytale.</i>
		of Carthage,			<i>Mago de Syrtikus.</i>
		of the Achæans,			
		Ætolians,			<i>Aratus de Istmo.</i>
		& Lycians,			
		of the Switz,			<i>Alpester de Fulmine.</i>
		of Holland, &			
		the United Pro-			<i>Glaucus de Ulua.</i>
		vinces,			
		of Rome,			<i>Dolabella de Enyo.</i>
		of Venice,			<i>Lyncus de Stella.</i>

These containing in them all those excellencies whercof a *Common-wealth* is capable; so that to have added more, had been to no purpose; upon time given unto the Counsellours by their own studies, and those of their friends to prepare themselves, were opened in the Order, and by the persons mentioned at the Council of Legislators; and afterwards by order of the same were repeated at the Council of the *Prytans* unto the people; for in drawing of the Lots, there were a matter of a Dozen of them inscribed with the letter P. which the Counsellours that drew became *Prytans*.

The

The *Prytans* were a Committee or Councill sitting in the great Hall of *Pantheon*, to whom it was lawfull for any man to offer any thing in order to the Fabrick of the *Common-wealth*; for which cause, that they might not be oppressed by the throng, there was a *Rail* about the *Table* where they sate, and on each side of the same a *Pulpit*; that on the right hand for any man that would propose any thing; and that on the left for any other that would oppose him; and all parties (being indemnity'd by Proclamation of the *Archon*) were invited to dispute their own interests, or propose whatever they thought fit (in order to the future *Government*) to the *Council* of the *Prytans*, who (having a guard of a matter of two or three hundred men, lest the heat of the dispute might break the peace) had the right of *Moderators*, and were to report from time to time such *Propositions* or *Occurrences* as they thought fit, to the *Council* of *Legislators* sitting more privately in the *Pallace* called *Alma*.

This was that which made the *people* (who were neither *safely* to be admitted unto, nor *conveniently* to be excluded from the framing of their *Common-wealth*) verily believe when it came forth, that it was no other than that, whereof they themselves had been the makers.

Moreover, this *Council* sate divers *Months* after the publishing, and during the promulgation of the *Modell* unto the *people*, by which means there is scarce any thing was said or written for or against the said *Modell*, but you shall have it with the next *impress*ion of this *Work* by way of *Oration* addressed unto, and moderated by the *Prytans*.

By this means the *Council* of *Legislators* had their necessary solicitude and due aym in their greater *Work*, as being acquainted from time to time with the pulse of the *people*, and yet without any manner of interruption or disturbance.

Wherefore every *Common-wealth* in her place having been opened by her due *Method*; that is, first, by the *people*; secondly, by the *Senate*; and thirdly, by the *Magistracy*; The *Council* upon mature debate took such results or orders, out of each one, and out of each part of each one of them, as upon opening the same they thought fit; which being put from time to time in writing by the *Clerk* or *Secretary*, there remained no more in the conclusion, than putting the *Orders* so taken together, to view and examine them with a diligent Eye, to the end that it might be clearly discovered whether they did *enterfere*, or could any wise come to *interfere* or *jostle* one the other; for as such *orders* *jostling*, or coming to *jostle* one another, are the certain dissolution of the *Common-wealth*; so taken
upon

upon the proof of like experience, and neither *jostling*, nor shewing which way they can possibly come to *jostle* one another, make a perfect, and (for ought that in *humane* prudence can be foreseen) an *immortal Common-wealth*.

And such was the *Art* whereby my Lord *Archon* (taking Counsel of the *Common-wealth* of *Israel* as of *Moses*; and of the rest of the *Common-wealths*, as of *Jethro*) framed the *Modell* of the *Common-wealth* of *Oceana*.

THE

THE M O D E L L

OF

The Common-Wealth

OF

Oceana.

VV Hereas my *Lord Archon*, being, from *Moses* and *Lycurgus*, the first *Legislator* that hitherto is found in Story to have introduced or Erected an Entire *Common-wealth* at once, happened, like them also, to be more intent upon putting the same into Execution or Action, then into Writing; by which means the *Modell* came to be promulgated or published with more Brevity and lesse illustration then is necessary for their understanding who have not been acquainted with the whole proceedings of the *Council of Legislators*, & of the *Prytans*, where it was asserted and cleared from all objections and doubts: Unto the end that I may supply what was wanting in the promulgated Epitome, unto a more full and perfect Narrative of the whole, I shall rather take the *Common-wealth* practically; and as she hath now given Account of her self in some years Revolutions, (as *Dicaearchus* is said to have done that of *Lacedæmon*, first transcrib'd by his hand some three or four hundred years after the Institution) yet not omitting to adde for proof, unto every order such *Debates* and *Speeches* of the *Legislators* in their *Councill*, or at least such parts of them as may best discover the reason of the *Government*, nor such wayes and means as were used in the Institution or Rise of the *Building*, not to be so well Conceived, without some knowledge given of the Engines wherewithall the mighty Weight was moved. But through the intire omission of the *Council of Legislators* or *workmen* that squared Every stone unto this Structure in the quarries of *Ancient Prudence*, the proof of the first part of this Discourse will be lame, except I insert as well for illustration, as to avoid frequent Repetition, three remarkable Testimonies in this place.

Suidas.

The

Exo. 18. The first is taken out of the *Common-wealth* of *Israel*; So *Moses* hearkened unto the voice of (*Jethro*) his Father in Law, and did
 24. all that he had said. And *Moses* chose able men out of all *Israel*, and
 Numb. 1. made them heads over the people, (Tribunes as it is in the vulgar
 16. Latine; or *Phylarches*, that is) *Princes* of the Tribes, sitting
 Math. (*Sellis Curulibus*, saith *Grotius*) upon twelve Thrones, and
 judging the twelve Tribes of *Israel*; and next unto these he
 chose Rulers of Thousands, Rulers of Hundreds, Rulers of Fifties,
 and Rulers of Tens, which were the steps or rise of this
Common-wealth, from her foundation or root, unto her proper
 Elevation, or accomplishment in the *Sanhedrim*, and the Congregation,
 already opened in the *Preliminaries*.

The Second is taken out of *Lacedemon*, as *Lycurgus* (for the
 greater impression of his Institutions upon the minds of his
 Citizens) pretended to have received the Modell of that
 Common-wealth from the Oracle of *Apollo* at *Delphos*, the
 words whereof are thus recorded by *Plutarch* in the Life of that
 famous Legislator, [When thou shalt have divided the People
 into Tribes, (which were six) and *Oba's*, (which were five
 in every Tribe) thou shalt constitute the *Senate*, consisting
 Crag. de
 Rep. with the two Kings of thirty Counsellours, who according as
 Lac. Lib. 1. occasion requireth, shall cause the Congregation to be Assembled
 Cap. 6. between the Bridge and the River *Gnaron*, where the
Senate shall propose unto the People, and dismiss them without
 suffering them to debate. The *Oba* were linages into
 which every Tribe was divided, and in each Tribe there was
 one other Division containing all those of the same that were
 of military Age; which being called the *Mora*, was subdivided
 into Troops and Companies that were held in perpetuall
 discipline under the Command of a Magistrate called the
Polemarche.

The Third is taken out of the *Common-wealth* of *Rome*, or those
 parts of it which are comprized in the first and second book of
Livy, where the people according to the Institution by *Romulus*,
 are first divided into Thirty *Curia's* or Parishes, whereof
 he Elected (by three out of each *Curia*) the *Senate*, which from
 his Reign unto that of *Servius Tullius* proposed unto the Parishes
 or Parochial Congregations, and these being called the *Comitia*
Curjata, had the Election of the Kings, (*Quirites, Regem*
create; ita patritus visum est. Again, Tullium Hostilium Regem
Populus Jussit, Patres authores facti) the Confirmation of their
 Lawes (*Ut ab Romulo traditum, suffragium viritim eadem vi, eodemq;*
jure omnibus Datum est); and the last appeal in matters
 of Judicature, as appears in the Case of *Horatius* that killed
 his Sister; Till in the Raing of *Servius* (*non enim ut ab Romulo*
traditum)

traditum ceteri servaverunt reges) the people being grown somewhat, either the power of the *Curia* was for the greater part translated unto the *Centuriata Comitia* instituted by this King, which distributed the people according to the sense or valuation of their Estates unto six Classes, every one containing about fourty Centuries, divided into Youth and Elders; the Youth for field-service, the Elders for the defence of their Territory, all armed and under continual Discipline, in which they assembled both upon Military and Civill occasions. But when the *Senate* proposed unto the *People*, the horse onely whereof there were twelve Centuries, consisting of the Richest sort over and above those of the foot enumerated, were called with the first Classis of the foot unto the suffrage; or if these accorded not, then the second Classis was called to them, but seldom or never any of the rest. Wherefore the people after the expulsion of the Kings, growing impatient of this inequality; rested not till they had reduced the Suffrage as it had been in the *Comitia Curiata* to the whole People again; But in another way, that is to say, by the *Comitia Tributa*, which thereupon were instituted, being a Council where the People in Exigencies made Lawes without the *Senate*; which Lawes were called *Plebiscita*. This Council is that in regard whereof Cicero and other great Wits so frequently inveigh against the People, and sometimes even Livy, as at the Institution: (*Hunc Annum insignem maximè Comitia Tributa efficiunt; res majori victoriâ suscepti certaminis quam usu, plus enim dignitatis Comitibus ipsis detractum est, patribus ex Concilio submovendis, quam Virium aut plebi additum aut demptum patribus*) To say truth, it was a kind of *Anarchy*, whereof the people could not be excusable, if there had not, through the Courses taken by the *Senate*, been otherwise a necessity that they must have seen the *Common-wealth* run into *Oligarchy*.

The Manner how the *Comitia Curiata*, *Centuriata*, or *Tributa* were called, (during the time of the *Common-wealth* to the Suffrage, was by lot: the *Curia*, Century or Tribe whereon the first lot fell, being styled *Principium*, or the prerogative; and the other *Curia*, Centuries, or Tribes, whereon the second, third, fourth Lots, &c. fell, the *Jure vocata*; from henceforth not the first Classis, as in the times of *Servius*; but the Prerogative, whether *Curia*, Century or Tribe, came first to the Suffrage, whose Vote was called *omen Prærogativum*, and seldom failed to be leading unto the rest of the Tribes: The *Jure vocata* in the order of their Lots came next: the Manner of giving suffrage was, by casting wooden Tablets marked for the affirmative, or the *Negative*, into certain Urns standing upon a Scaffold as they marched over it in files; which for the Resemblance it bore, was called the Bridge; the Candidate

Signonius.

or Competitor who had most Suffrages in a *Curia*, Century or Tribe, was said to have that *Curia* Century or Tribe; and he who had most of the *Curia* Centuries or Tribes, carried the Magistracy.

These three places being premised as such upon which there will be frequent Reflexion, I come unto the Narrative, divided into two parts, the first containing the Institution, the second the Constitution of the *Common-wealth*; in each whereof I shall distinguish the Orders, as those which contain the whole *Model*, from the rest of the Discourse, which tendeth onely unto the Explanation or proof of them.

*Institution
of the Com-
mon-wealth.*

In the Institution or building of a *Common-wealth*, the first Work (as that of builders) can be no other then fitting and distributing the Materials.

*Divisions of
the People.*

The materials of a *Common-wealth* are the people; And the People of *Oceana* were distributed by casting them into certain Divisions, regarding their Quality, their Ages, their Wealth, and the Places of their residence or habitation, which was done by the ensuing Orders.

*1. Order.
Into Free-
men. and
Servants.*

The first Distributing the people into *Freemen* or *Citizens*, and *Servants*, while such; for if they attain unto Liberty, that is, to life of themselves, they are *Freemen* or *Citizens*.

This Order needeth no proof, in regard of the nature of servitude, which is inconsistent with Freedom or Participation of *Government* in a *Common-wealth*.

*2. Order.
Into Youth
and Elders.*

The second Order distributeth *Citizens* into *Youth* and *Elders* (such as are from 18. years of Age to 30, being accounted *Youth*; and such as are of 30. and upwards *Elders*) and establisheth that the *Youth* shall be the marching Armies, and the *Elders* the standing Garrisons of this Nation.

A *Common-wealth* whose Arms are in the hands of her servants, had need be scituated (as is elegantly said of *Venice* by *Contarini Lontana*, *dalla sede degli huomini*) out of the reach of such Clutches; witnesse the danger run by that of *Carthage* in the Rebellion of *Spendius* and *Mitho*. But though a City (if one swallow make a Summer) may thus chance to be safe, yet shall she never be great; for if *Carthage* or *Venice* acquired any fame in their Arms, it is known to have happened through the mere virtue of their Captains, and not of their Orders; wherefore *Israel*, *Lacedemon*, and *Rome* intailed their Arms upon the prime of their *Citizens*, divided (at least in *Lacede-*

mon and Rome) into Youth and Elders; the Youth for the Field, and the Elders for defence of the Territory.

The third Order distributeth the Citizens into Horse and Foot by the Cense or valuation of their Estates; they who have above one hundred pounds a year in Lands, Goods, or Money, being obliged to be of the Horse; and they who have under, to be of the Foot. But if a man have prodigally wasted and spent his Patrimony, he is neither capable of Magistracy, Office, nor Suffrage in the Commonwealth.

3. Ord.
Into Horse
and Foot.

Citizens are not onely to defend the Common-wealth, but according to their Abilities, as the Romans, under *Servius Tullius* (regard had unto their Estates) were some inrolled in the Horse Centuries, and other of the Foot, with Arms enjoyned accordingly; nor could it be otherwise in the rest of the Commonwealths; though out of Remains that are so much darker it be not so clearly proveable. And the necessary prerogative to be given by a Commonwealth unto Estates in some measure is in the nature of industry, and the use of it to the Publick, (*Populus Romanus*, saith *Julius Exuperantius*) per Classes Divisus erat, et pro Patrimonii facultate censebantur; ex iis, omnes quibus res erat, ad militiam Ducebantur: diligenter enim pro victoria laborabant qui ex libertate bonâ patriam defendebant: Illi autem quibus nullæ opes erant, Caput suum, quod solum possidebant, censebantur et belli tempore in mœnibus residebant; facile enim poterant existere proditores, quia egestas haud facîle habetur sine Damno. Hos igitur *Marius*, quibus non fuerat Resp. committenda, duxit ad bellum: and his successe was accordingly): There is a mean in things; as exorbitant riches overthrow the ballance of a Commonwealth, so Extreame poverty cannot hold it, nor is by any means to be trusted with it. The clause in the Order concerning the Prodigall is *Athenian*, and a very Laudable one; for he that could not live upon his patrimony, if he come to touch the publick money, makes a Commonwealth Bank-rupt.

The Fourth Order distributeth the People according unto the places of their habitation, into Parishes, Hundreds and Tribes.

4. Ord.
into Pari-
shes, Hun-
dreds, and
Tribes.

For except the People be methodically distributed, they cannot be methodically Collected: but the being of a Commonwealth consisteth in the methodicall collection of the people; wherefore you have the *Israelitish* Divisions into Rulers of Thousands, of Hundreds, of Fifties, and of Tens; and of the whole Commonwealth, into Tribes. The *Lacowick* into

Oba's, Mora's and Tribes; the *Roman* into Tribes, Centuries, and Classes; and something there must of necessity be in every *Government* of like nature; as that in the late *Monarchy*, by Counties: But this being the onely Institution in *Oceana*, (except that of the *Agrarian*) which required any charge, or included any difficulty, engageth me unto a more particular description of the manner how it was performed, as followeth.

*The use and
method of
the Survey-
ors.*

One thousand Surveyors Commissionated and instructed by the Lord *Archon* and the *Councill*, being divided into two equal numbers, each under the inspection of two Surveyors general were distributed into the Northern and Southern parts of the Territory, divided by the River *Hemisua*, the whole whereof containeth about Ten thousand Parishes, some ten of those being assigned unto each Surveyor; For as to this matter there needed no great exactnesse, it tending onely, by shewing whether every one was to repair, and where about to begin; unto the more orderly carrying on of the work: The nature of their Instructions otherwise regarding rather the number of the Inhabitants, then of the Parishes. The Surveyors therefore being every one furnished with a proportion convenient of Urns, Balls and Ballotting Boxes, (in the use whereof they had been formerly exercised) and now arriving each at his respective Parishes, began with the People by teaching them their first lesson, which was the Ballot; and albeit they found them in the beginning somewhat Froward as at toyes, with which, while they were in Expectation of greater matters from a *Councill* of *Legislators*, they conceived themselves to be abused; they came within a while to think them pretty sport, and at length such as might very soberly be used in good Earnest; whereupon the Surveyors began the Institution included in

5. Ord.
Institution
of the Pa-
rishes of the
Ballot and
of the De-
puties.

The Fifth Order requiring, That upon the first Munday next ensuing the last of December, the bigger Bell in every Parish throughout the Nation, be rang at eight of the Clock in the morning, and continue Ringing for the space of one Hour; and that all the Elders of the Parish respectibely repair unto the Church before the Bell have done ringing; where dividing themselves into two equall Numbers, or as near Equall as may be, they shall take their places according to their Dignities, if they be of divers qualities, and according to their seniority, if they be of the same, the one half on the one side, and the other half on the other, in the body of the Church; which done, they shall make oath unto the Overseers of the Parish for the time being, (instead of these the Surveyors was to officiate at the Institution or

first

first Assembly) by holding up their hands, to make a fair Election according unto the Lawes of the Ballot, as they be hereafter Explained, of such persons amounting unto a Fifth part of their whole number to be their Deputies, and to exercise their power in manner hereafter explained, as they shall think in their Consciences to be fittest for that trust, and will acquit themselves of it to the best advantage of the Common-wealth. And, oath being thus made, they shall proceed unto Election, if the Elders of the Parish amount unto one Thousand by the Ballot of the Tribe (as it is in due place Explained): And if the Elders of the Parish amount unto Fifty or upwards, but within the number of one Thousand, by the Ballot of the Hundred (as it is in the due place explained); But if the Elders amount not unto Fifty, then they shall proceed unto the Ballot of the Parish as it is in this place, and after this manner explained. The two Overseers for the time being, shall seat themselves at the upper end of the middle Alley, with a Table before them, their faces being towards the Congregation: And the Constable for the time being shall set an Urn before the Table, into which he shall put so many Balls as there be Elders present, whereof there shall be one that is gilded, the rest being white; and when the Constable hath shaken the Urn sufficiently to mix the Balls, the Overseers shall call the Elders unto the Urn, who from each side of the Church, shall come up the middle Alley in two files, every man passing by the Urn, and drawing one Ball, which if it be silver, he shall cast into a Bowl standing at the foot of the Urn; and return by the outward Alley on his side unto his place: But he who draweth the gold-Ball is the proposer, and shall be seated between the Overseers, where he shall begin in what order he pleaseth, and name such as (upon his oath already taken) he conceiveth fittest to be chosen, one by one unto the Elders; and the party named shall withdraw while the Congregation is in Ballotting of his name by the double Box or Boxes appointed and marked on the outward part, to shew which side is Affirmative, and which Negative, being carried by a Box or Boxes appointed by the Overseers, unto every one of the Elders, who shall hold up a pellet made of linnen rags, between his finger and his thumb, and put it after such a manner into the box, as though no man can see into which side he putteth it; yet any man may see that he puts in but one pellet, or suffrage; and the suffrage of the Congregation being thus given, shall be returned with the Box or Boxes unto the Overseers, who opening the same shall pour the affirmative Balls into a white Bowl standing upon the Table on the

right

right hand, to be numbred by the first Overseer; and the Negative into a Green Ball standing on the left hand, to be numbred by the second Overseer: and the suffrages being numbred, he who hath the major part in the Affirmative, is one of the Deputies of the Parish; and when so many Deputies are chosen as amounts unto a full fifth part of the whole number of the Elders, the Ballot for that time shall cease. The Deputies being chosen are to be listed by the Overseers in order as they were Chosen, save only that such as are Horse are to be listed in the first place with the rest proportionably to the number of the Congregation, after this Manner:

Anno Dom.

The List of the first Mover.

A. A. ord. eq.	1. Dep.	} of the Parish of — in the Hundred of — and the Tribe of — which Parish at the present Election containeth 20 Elders, whereof one of the Horse or Equestrian Order.
B. B.	2. Dep.	
C C.	3. Dep.	
D.D.	4. Dep.	
E. E.	5. Dep.	

The first and second in the List are Overseers by Consequence: the third is the Constable, and the fourth and fifth are Church-Wardens; the persons so chosen are Deputies of the Parish for the space of one year from their Election, and no longer, nor may they be Elected two years together. This List, being the Primum Mobile, or first mover of the Common-wealth, is to be Registered in a Book, diligently kept and preserved by the Overseers, who are Responsible in their places for these and other Duties to be hereafter mentioned, unto the Censors of the Tribe, and the Congregation is to observe the present Order, as they will Answer the contrary unto the Phylarch, or Pre-rogative Troop of the Tribe; which, in case of failure in the whole or any part of it, have power to Fine them or any of them, at discretion, but under an Appeal unto the Parliament.

For proof of this Order, in Reason: it is with all Politicians past dispute, that paternal power is in the right of nature; and this is no other then the derivation of power from Fathers of Families, as the naturall Root of a Common-wealth; and for Experience, if it be otherwise in that of *Holland*, I know

no other Example of like kind. In *Israel*, the Sovereign power came clearly from the natural root, the Elders of the whole people, and *Rome* was born *Comitiis Curiatis* in her Parochial Congregations, out of which *Romulus* first raised her *Senate*, then all the rest of the Orders of that Common-wealth; *Jos. 24.1.* which rose so high: For the depth of a Common-wealth is the just height of it.

*Ipsa hæret Scopulis et tantum Vertice ad auras
Æthereas, quantum Radice ad Tartara, tendit.*

*She raises up her head unto the Skies,
Neer as her Root unto the center lies.*

And if the Common-wealth of *Rome* were born of thirty Parishes, this of *Oceana* was born of Ten thousand. But whereas mention in the Birth of this is made of an *Equestrian* Order, it may startle such as know that the division of the people of *Rome* at the Institution of that Common-wealth into Orders, was the occasion of her ruine. The distinction of the *Patrician* as an hereditary order from the very Institution, engrossing all the Magistracies, was indeed the destruction of *Rome*; but to a Knight or one of the *Equestrian* Order, saith *Horace*.

*Si quadringentis sex, septem millia desunt
Plebs eris.*

By which it should seem that this order was no otherwise hereditary then a man's Estate, nor gave it any Claim to Magistracy; wherefore you shall never find that it disquieted the *Common-wealth*; nor doth the name denote any more in *Oceana*, then the Duty of such a mans Estate unto the Public.

But the Surveyors both in this place and in others, for as much as they could nor observe all the circumstances of this Order, especially that of the time of Election, did for the first as well as they could; and the Elections being made and Registred, took each of them Copies of those Lists which were within their allotments; which done, they produced,

The Sixth Order, directing; in case a Parson or Vicar of a Parish come to be removed by death, or by the Censors, that the Congregation of the Parish Assemble and depute one or two Elders of the Ward, who upon the charge of the Parish shall repair unto one of the Universities of this Nation with a Certificate signed by the Overseers, and addressed unto the Vice-Chancellor; which Certificate giving

ving notice of the death or Removall of the Parson or Vicar, of the value of the Parsonage or Vicaridge, and of the desire of the Congregation to receive a Probationer from that University; the Vice-Chancellor upon the Receipt thereof shall call a Convocation, and having made choyce of a fit person, shall return him in due time unto the Parish, where the person so returned shall receive the full fruits of the Benefice or Vicaridge, and do the duty of the Parson or Vicar, for the space of one year, as Probationer; and the space of one year being expired, the Congregation of the Elders shall put their Probationer to the Ballot; and if he attain not unto two parts in three of the Suffrage affirmative he shall take his leave of the Parish, and they shall send in like manner for another Probationer: but if their Probationer attain unto two parts in three of the Suffrage affirmative, he is the Pastor of that Parish. And the Pastour of the Parish shall pray with the Congregation, preach the Word, and administer the Sacraments unto the same, according unto the Directory to be hereafter appointed by the Parliament. Nevertheless such as are of gather'd Congregations, or from time to time shall joyn with any of them, are in no wise obliged to this way of Creating their Teachers, or to give their Votes in this Case, but wholly left unto the liberty of their Conscience, and un'to that way of worship which they shall chuse, being not Popish, Jewish, nor Idolatrous, and to the end that they may be the better protected by the State in the free Exercise of the same, they are desired to make cheyce in such manner as they best like, of certain Magistrates in every one of their Congregations, which we could wish might be Four in each of them, to be Auditors in Cases of differences, or dissente if any through variety of opinions, that may be grievous, or injurious unto them, should fall out. And such Auditors or Magistrates shall have power to examine the matter and inform themselves, to the end that if they think it of sufficient weight they may acquaint the Phylarch, or introduce it into the Councill of Religion; where all such Causes as such Magistrates shall introduce, shall from time to time be heard and determined according unto such Lawes as are or shall hereafter be provided by the Parliament for the just defence of the Liberty of Conscience.

This Order consisteth of three parts, the first restoring the power of Ordination unto the people, which that it originally appertaineth unto them, is clear (though not in English, yet) in Scripture, where the Apostles *ordained Elders by the holding up of hands in every Congregation*, that is, by the suffrage of

of the people which was also given in some of those Cities by the Ballot; and though it may be shewn that the Apostles ordained some by the Laying on of hands, it will not be shewn that they did so in every congregation.

Excommunication as not clearly proveable out of Scripture being omitted. The second part of the order implies and establisheth a nationall Religion; for there be degrees of knowledge in Divine things, true Religion is not to be attained unto without searching the Scriptures; the Scripture cannot be searched by us unlesse we have them to search; and if we have nothing else or (which is all one) understand nothing else but a translation we may be (as in the place alleadged; we have been) beguiled or misled by the translation, while we should be searching the true sence of the Scripture; which cannot be attained unto in a naturall way (and a *Common-wealth* is not to presume upon that which is supernaturall) but by the knowledge of the originall, and of Antiquity acquired by our own studies, or those of some other, for even *Faith cometh by hearing*. Wherefore a *Common-wealth* not making provision of men from time to time, knowing in the originall languages wherein the Scriptures were written and versed in those Antiquities whereunto they so frequently relate, that the true sence of them dependeth in a great part upon that knowledge, can never be secure that she shall not lose the Scripture, and by consequence her Religion, which to preserve she must institute some method of this knowledge, and some use of such as have acquired it, which amounteth unto a Nationall Religion.

The *Common-wealth* having thus performed her duty towards God, as a rational Creature by the best Application of her reason unto Scripture, for the preservation of Religion in the purity of the same, yet pretendeth not unto infallibility, but comes in the third part of the order, establishing Liberty of Conscience according to the instructions given unto her Councell of Religion, to raise up her hands to Heaven, for further light; in which proceeding she followeth that (as was shewen in the preliminaries) of *Israel* who though her Nationall Religion were evermore a part of her Civil Law gave unto her Prophets the upper hand of all her Orders.

But the Surveyours having now done with the Parishes; tooke their Leaves so; *A parish is the first division of Land occasioned by the first Collection of the people of Oceana, whose function proper unto that place is comprised in the six foregoing Orders.*

*Definition of
a Parish.*

The next step in the progresse of the surveyours was to a meeting of the neereſt of them, as their work lay, by twenties where conferring their lists and computing the Deputies contained therein; as the number of them in Parishes, being neer-

*Institution of
the Hundred*

est neighbours; amounted unto one hundred, or as eaven as might conveniently be brought with that account, they cast them and those Parishes into the precinct which (be the Deputies ever since more or fewer) is still called the *hundred* and unto every one of these Precincts they appointed a certaine place being the most convenient Towne within the same for the Annuall *Randezvous*: which done, each Surveyour returning unto his hundred and summoning the Deputies contained in his lists unto the *Randezvous*, they appeared and received,

7. Ord.

The Seventh Order, requiring, That upon the first Monday next ensuing the last of January, the Deputies of every Parish Annually assemble in Arms at the *Randezvous* of the Hundred, and there Elect out of their number one Justice of the Peace, one Jury-man, one Captain, one Ensign of their Troop or Century, each of these out of the Horse; and one Jury-man, one Crowner, one High Constable out of the Foot; the Election to be made by the Ballot in this manner the Jury-men for the time being are to be Overseers of the Ballot, (instead of these, the Surveyors are to officiate at the first Assembly) and to look unto the performance of the same according to what was directed in the Ballot of the Parishes, save that the High Constable setting forth the Urn, shall have five severall suites of gold-Balls, and one Dosen of every suite, whereof the first shall be marked with the letter A. the second with the letter B. the third with C. the fourth with D. and the fifth with E. And of each of these suites he shall cast one Ball into his hat, or into a little Urn, and shaking the Balls together present them unto the first Overseer, who shall draw one, and the suit which is so drawn by the Overseer shall be of use for that day, and none other: for Example, if the Overseer draw an A. the High Constable shall put seven gold-Balls marked with the letter A. into the Urn, with so many silver ones as shall bring them eaven with the number of the Deputies, who being sworn as before, at the Ballot of the Parish, to make a fair Election, shall be called unto the Urn; and every man coming in manner as was there shewed, shall draw one Ball, which if it be silver, he shall cast it into a Bowl standing at the foot of the Urn, and return unto his place; but the first that draweth a gold Ball (shewing it unto the Overseers who if it have not the letter of the present Ballot, hath power to apprehend and punish him), is the first Elector: the second the second Elector, and so to the seventh, which Order they are to observe in their function. The Electors as they are drawn shall be placed upon the Bench by the Overseer.

Oversers, till the whole number be Compleat, and then be Conducted with the List of the Officers to be chosen, into a place apart, where being private, the first Elector shall name a person unto the first office in the List; and if the person so named being Ballotted by the rest of the Electors, attain not unto the better half of the Suffrages in the affirmative, the first Elector shall continue nominating others, untill one of them so nominated by him attain unto the plurality of the Suffrages in the affirmative, and be written first Competitor to the first office. This done, the second Elector shall observe in his turn the like order; and so the rest of the Electors naming Competitors each unto his respective office in the List, till one Competitor be chosen unto every office: and when one Competitor is chosen unto every office, the first Elector shall begin again to name a second competitor unto the first office, and the rest successively shall name unto the rest of the Offices till two Competitors be chosen unto every office; the like shall be repeated till three Competitors be chosen to every office: And when three Competitors be chosen to every office, the List shall be returned unto the Oversers; or such as the Oversers, in case they or either of them happened, be Electors, have substituted in his or their place or places: and the Oversers or Substitutes having caused the List to be read unto the Congregation, shall put the Competitors in order as they are written, unto the Ballot of the Congregation; and the rest of the proceedings being carried on in the manner directed in the Fifth Order, that Competitor of the three written unto each office, who hath most of the Suffrages above half in the affirmative, is the Officer. The List being after this manner Completed, shall be entred into a Register, so be kept at the Rendezvous of the Hundred, under inspection of the Magistrates of the same, after this manner:

Anno Domini.

The List of the Nebulosa.

A. A.	ord. eq.	Justice of the peace	} of the Hundred of — in the Tribe of — which Hundred con- sisteth at this Election of 105 Deputies.
B. B.	ord. eq.	First Jury-man	
C. C.	ord. eq.	Captain of the Hundred	
D. D.	ord. eq.	Ensign	
E. E.		Second Jury-man	
F. F.		High Constable	}
G. G.		Crowner	

The List being entred, the High Constable shall take three Copies of the same, whereof he shall forthwith Return one unto the Lord high Sheriffe of the Tribe; a second unto the Lord Cusos Rotulorum; and a third unto the Censors (or these through the want of such Magistrates at the first muster, may be returned unto the Orator, to be appointed for that Tribe.) To the observation of all and every part of this Order, the Officers and Deputies of the Hundred are all and every of them obliged, as they will Answer it to the Phylarch, who hath power in case of failure in the whole or any part, to Fine all or any of them so failing at discretion, or according unto such Lawes as shall hereafter be provided in that Case; but under an Appeal unto the Parliament.

There is little in this order worthy of any further account, then that it answers unto the rulers of hundreds in *Israel*, to the Mora or Military part of the Tribe in *Lacedemon*, and to the Century in *Rome*. The Jury-men, being two in a hundred, and so forty in a Tribe, give the Latitude allowed by the Law for exceptions. And whereas the gold-balls at this Ballot begin to be marked with Letters, whereof one is to be drawn immediately before it begin; This is to the end that the letter being unknown, men may be frustrated of Tricks, or foul play, whereas otherwise a man might bring a gold ball with him and make as if he had drawn it out of the Urn. The Surveyors when they had taken Copies of these lists, had accomplished their worke in the Hundreds.

Definition of the Hundred So, An Hundred is the second division of Land occasioned by the second Collection of the people, whose Civill and Military functions proper unto

unto this place are comprised in the foregoing order. Having stated the hundreds, they met once againe by twenties, where there was nothing more easy then to cast every twenty hundreds, as they lay most conveniently together into one Tribe, so the whole Territory of *Oceana*, consisting of about ten thousand, *Institution of the Tribe,* Parishes, came to be cast into one thousand hundreds, and into fifty tribes. In every Tribe at the place appointed for the Annuall Randevouze of the same, were then, or soone after, put in hand, those buildings which are now called *Pavilions*, *of the Pavilion.* each of them standing with one open side, upon fair Columns like the porch of some ancient Temple, and looking into a field, capable of the muster of some foure-thousand men: before each Pavilion, stand three pillars sustaining urnes for the Ballot, that on the right hand equall in height to the brow of an Horse-man, being called the *Horse urn*; that on the left hand, with Bridges on either side to bring it Equall in height with the brow of a foot-man, being called the *Foot-urn*; and the *middle urne*, with a bridge on the side towards the Foot-urn; the other side, as left for the horse, being without one: and here ended the whole worke of the *Surveyours* who returned unto the *Lord Archon* with this

Accompt of the Charge.

<i>Imprimis</i> , Urns, Balls, and Ballotting Boxes for ten thousand Parishes, the same being woodden ware, —————	} 1. 20000.---	s. The whole Charge of the Institution.
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<i>Item</i> , Provisions of like kind for a thousand Hundreds —————	} 3000 --- 0
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<i>Item</i> , Urns and Balls of Metall, with Ballotting Boxes for Fifty Tribes ————	} 2000 --- 0
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<i>Item</i> , for erecting of Fifty Pavilions, ————	} 60000 --- 0
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<i>Item</i> , Wages for Four Surveyors General at 1000 l. a man —————	} 4000 --- 0
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<i>Item</i> , Wages for the rest of the Surveyors, being 1000, at 250 l. a man —————	} 250000 --- 0
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Sum Totall, 339000—0

No great matter of charge for the building of a *Commonwealth*, in regard that it hath cost (which was pleaded by the Surveyors)

Surveyors) as much to rigg a few ships, neverthelesse that proveth not them to be honest, nor their accompt to be just; but they had their money for once, though their reckoning be plainly guilty of a Crime, to cost him his neck that Commits it another time, it being impossible for a *Common-wealth*, without an exact provision, that she be not abused in this kind, to subsist, if it were not in regard of the charge (though that may goe deepe) yet in regard of the debauchery and corruption, whereunto, by negligence in her accounts, she infallibly exposeth her Citizens, and thereby slakeneth the publique Faith, which is the Nerve and ligament of Government. But the Surveyors being dispatched, the Lord *Archon* was very curious in giving names unto his Tribes, which having caused to be written in scroles cast unto an urne, and presented unto the Councillours, each of them drew one, and was accordingly sent unto the Tribe in his Lot, as Orators of the same, a magistracy no otherwise instituted, then for once and *Protempore*, to the end that the Councill upon so great an occasion might both Congratulate with the Tribes, and assist at the first muster in some things of necessity to be differently carried from the established administration and future course of the *Common-wealth*.

The Orators being arrived, every one as soone as might be, at the Randevouze of his Tribe, gave notice to the hundreds, and summoned the muster, which appeared for the most part upon good horses, and already indifferently well Armed; as to instance in one for all, the Tribe of *Nubia* where *Hermes de Caducea*, Lord Orator of the same, after a short salutation and an hearty wellcome, applyed himself unto his businesse, which began with

8. Ord. The Eighth Order; requiring, That the Lord High Sheriffe as Commander in Chief, and the Lord Custos Rotulorum as Muster-master of the Tribe, (or the Orator for the first Muster) upon Reception of the Lists of their Hundreds, returned unto them by the High Constables of the same, forthwith cause them to be cast up, dividing the Horse from the Foot, and listing the Horse by their names in Troops, each Troop containing about a hundred in number, to be inscribed first, second, or third Troop, &c. according to the Order Agræd upon by the said Magistrates: which done, they shall list the Foot in like manner, and inscribe the Companies in like order. These Lists upon the Eve of the Muster shall be delivered unto certain Trumpeters and Drummers, whereof there shall be Fifteen of each sort (as well for the present as other uses to be hereafter mentioned) Appointed,

dictated by the Tribe: and the Trumpeters and Drummers shall be in the Field before the Pavilion, upon the day of the muster, so soon as it is light, where they shall stand every one with his List in his hand, at a due distance, placed according unto the order of the List; the Trumpeters with the Lists of the Horse on the right hand, and the Drummers with the lists of the Foot on the left hand: where having sounded a while, each of them shall begin to call, and continue calling the names of the Deputies, as they come into the Field, till both the Horse and Foot be gathered by that means into their due order. The Horse and Foot being in order, the Lord Lieutenant of the Tribe shall cast so many Gold Balls marked with the figures 1. 2. 3. 4. &c. as there be Traps of Horse in the Field, together with so many silver Bal's as there be Companies, marked in the same manner, into a little Urn, whereunto he shall call the Captains; and the Captains drawing the Gold Balls shall command the Horse; and those that draw the Silver the Foot, each in the order of his Lot. The like shall be done by the Conductor at the same time for the Ensigns, at another Urn; and they that draw the Gold Balls shall be Cornets; the rest Ensigns.

This order may Trash the reader, but tends unto a wonderful speed of the Muster, to which it would be a great matter, to lose a day in ranging and martialling, whereas by vertue of this the Tribe is no sooner in the feild then in Battalia, nor sooner in Battalia then called unto the Urns or the Ballot by vertue of

The Ninth Order; whereby the Censors (or the Orator for the first Muster) upon Reception of the Lists of the Hundreds from the High Constables, according as is directed by the Seventh Order, are to make their notes for the Urns before-hand, with regard had unto the Lists of the Magistrates, to be elected by the ensuing Orders; that is to say, by the first List called the Prime Magnitude, six; and by the second called the Gallary, nine. Wherefore the Censors are to put into the middle Urn for the Election of the first List twenty four Gold Balls, with twenty six blanks or silver Balls, in all sixty; and into the side Urns sixty gold-balls divided unto each according unto the different number of the Horse and the Foot; that is to say, if the Horse and the Foot be equall, equally; and if the Horse and the Foot be unequal, unequally, by an Arithmetiscall proportion: The like shall be done the second day of the Muster, for the second List, save

9. Ord.

that

that the Censors shall put into the middle Urn 36. Gold-Balls with 24. Blanks, in all sixty; and sixty Gold-Balls into the side Urns, divided respectively unto the number of the Horse and the Foot: and the gold-Balls in the side Urns at either Ballot are by the addition of Blanks to be brought eaden with the number of the Ballottants at either Urn respectively. The Censors having prepared their Notes, as hath been shewn, and being come at the day into the Field, shall present a Little Urn unto the Lord High Sheriff, who is to draw twice for the Letters to be used that day, the one at the side Urns, and the other at the middle. And the Censors having fitted the Urns accordingly, shall place themselves in certain moveable Seats or Pulpits, (to be kept for that use in the Pavillion) the first Censor before the Horse Urn, the second before the Foot Urn, the Lord Lieutenant doing the office of Censor *pro tempore* at the middle Urn; where all and every one of them shall cause the Lawes of the Ballot to be diligently observed, taking a speciall care, that no man be suffered to come above once unto the Urn (whereof it more particularly concerns the Sub-Censors, that is to say, the Overseers of every Parish, to be carefull, they being each in this regard responsible for their respective Parishes). or to draw above one Ball, which if it be Gold, he is to present unto the Censor, who shall look upon the Letter; and if it be not that of the Day, and of the respective Urn, apprehend the party, who for this or any other like disorder, is obnoxious unto the Phylarch.

This order being observed by the Censors it is not possible for the People, if they can but draw the Balls, though they understand nothing at all of the Ballot to be out. To Philosophize further upon this Art, though there be nothing more rationally, were not worth the while, because in writing it will be perplexed, and the first practise of it gives the demonstration, whence it came to passe, that the Orators after some needlesse paines in the explanation of the two foregoing Orders, betaking himselfe to exemplify the same, found the work done unto his hand; for the Tribe as eager upon a business of this nature, had retained one of the Surveyors, out of whom (before the Orator arrived) they had gotten the whole mystery by a stolen muster, at which in order unto the Ballot, they had made certaine Magistrates *pro tempore*, wherefore he found not onely the Pavillion, (for this time a Tent) erected with three posts supplying the place of Pillars unto the urnes, but the urnes, being prepared with a just number of Balls for the first

first Ballot, to become the field, and the occasion very gallantly, with their covers made in the manner of Helmers, open at either Eare to give passage unto the Hands of the Ballottants, and flanting with noble Plumes to direct the March of the people; wherefore he proceeded to

The Tenth Order, requiring of the Deputies of the Partishes, 10. Ord.
That upon every Sunday next ensuing the last of February. they make their personall appearance, Horse and Foot in Arms accordingly, at the Randebou; of the Tribe, where being in discipline. the Horse upon the right and the Foot upon the left, before the Pavilion; and having made Oath by holding up their hands, upon the tender of it by the Lord High Sheriffe, to make Election without favour, and of such onely as they shall judge fittest for the Common-wealth; the Conduktor shall take 3. Balls, the one inscribed with these words [outward files,] another with these words [inward files,] and the third with these [middle files,] which Balls he shall cast into a little Urn and present it to the Lord high Sheriffe, who drawing one, shall give the words of Command, as they are thereupon inscribed, and the Ballot shall begin accordingly: For example, if the Ball be inscribed middle-files. the Ballot shall begin by the middle; that is, the two files that are middle to the Horse, shall draw out first to the Horse Urn, and the two files that are middle to the Foot, shall draw out first to the Foot Urn, and be followed by all the rest of the Files as they are next unto them in order. The like shall be done by the inward, or by the outward Files, in case they be first called. And the Files, as every man hath drawn his Ball, if it be silver, shall begin at the Urn to Countermarch unto their places; but he that hath drawn a gold Ball at a side Urn, shall proceed unto the middle Urn; where if the Ball be draweth be silver, he also shall Countermarch; But if it be gold, he shall take his place upon a form set crosse the Pavilion, with his face toward the Lord High Sheriffe, who shall be seated in the middle of the Pavilion, with certain Clerks by him, one of which shall write down the names of every Elector, that is, of every one that drew a gold Ball at the middle Urn, and in the Order, his Ball was drawn, till the Electors amount unto six in number; and the first six Electors Horse and Foot promiscuously, are the first order of Electors; the second six (still accompting them as they are drawn) the second Order; the third six, the third Order; and the fourth six, the fourth Order of Electors: every Elector having place in his order, according unto the
order

order wherein he was drawn : But so soon as the first order of Electors is compleat, the Lord High Sherifff shall send them with a Copy of the following List, and a Clerk that understands the Ballot, forthwith unto a little Tent standing before the Pavilion, in his eye, whereunto no other person but themselves during the Election shall approach: the List shall be written in this manner :

ANNO DOMINI,

The List of the prime Magnitude or first dayes Election of Magistrates.

<i>Institution of the Prime Magnitude.</i>	1. The Lord High Sherifff, Commander in Chief	
	2. Lord Lievtienant	of the Tribe of Nubia,
	3. Lord Custos Rotulorum, Master- Generall	containing at this pre- sent Master, 700 Horse,
	4. The Conductor, being Quartermaster- Generall	and 1500 Foot, in all 2200 Deputies.
	5. The first Censor	
	6. The second Censor	

And the Electors of the first hand or order being six, shall each of them name unto his respective Magistracy in the list, such as are not already elected in the Hundreds, till one Competitor be chosen unto every Magistracy in the List by the Ballot of the Electors of the first Order; which done, the List with the Competitors thereunto annexed shall be returned unto the Lord High Sherifff, by the Clerk attending that order, but the Electors shall keep their places, for they have already given their Suffrage, and may not enter into the Ballot of Tribe. If there arise any dispute in an order of Electors, one of the Censors or sub-Censors appointed by them, in case they be Electors, shall enter into the Tent of that Order; and that Order shall stand unto his Judgment in the decision of the Controversie. The like shall be done exactly by each other, order of Electors, being sent as they are drawn; each with another Copy of the same List, into a distinct Tent, till there be returned unto the Lord High Sherifff four Competitors unto every Magistracy in the List; that is to say,

One

One Competitor Elected unto every office in every one of the four Orders; which Competitors the Lord High Sheriff shall cause to be pronounced or read by a Crier unto the Congregation, and the Congregation having heard the whole Lists repeated, the names shall be put by the Lord High Sheriff unto the Tribe, one by one, beginning with the first Competitor in the first Order, thence proceeding to the first Competitor in the second Order, and so to the first in the third and fourth Orders: and the Suffrages being taken in boxes by boxes as hath been already shewn) shall be poured into the Bowles standing before the Censors, who shall be seated at each end of the Table in the Pavillion, the one numbring the Affirmatives, and the other the Negative; and he, of the four Competitors to the first Magistracy, that hath most above half the Suffrages of the Tribe in the Affirmative, is the first Magistrate; The like is to be done successively by the rest of the Competitors in their order. But because soon after the Boxes are sent out for the first name, there be others sent out for the second, and so for the third, &c. by which means divers names are successively at one and the same time in balloting; the Boy that carries a Box shall sing or repeat continually the name of the Competitor for whom that Box is carrying, with that also of the Magistracy unto which he is proposed. A Magistrate of the Tribe happening to be an Elector, may substitute any one of his own Order to execute his other Function: the Magistrates of the Prime Magnitude being thus elected, shall receive the present charge of the Tribe.

If it be objected against this order, that the Magistrates to be elected by it, will be men of more inferior rank then those of the hundreds, in regard that those are chosen first; It may be remembered, that so were the Burgesses in the former Government; nevertheless the Knights of the Shire were men of greater quality: And the election at the Hundred is made by a Council of Electors, of whom less cannot be expected then the discretion of naming persons fittest for those capacities, with an eye upon these to be elected at the Tribe. For what may be objected in the point of difficulty, it is demonstrable by the foregoing orders, that a man might bring ten thousand men (if there were occasion) with as much ease, and as suddainly to performe the ballot, as he can make five thousand men (drawing them out by double files) to march a quarter of a mile; but because at this Ballot, to go up and down the field, distributing the Linnen pellets unto every Man, with which he is to ballot or give suffrage would lose a great deale of time, there-

fore a Mans wife, his daughters or others make him his provision of pellets before the ballot; and he cometh into the field with a matter of a score of them in his pocket. And now I have as good as done with the sport. The next is,

11. *Ord.*
Functions
of the Magi-
strates of
the Prime
Magnitude.

The Eleventh Order, Explaining the duties and Functions of the Magistrates, contained in the List of the prime Magnitude: And those of the Hundreds, beginning with the Lord High Sheriff, who over and above his more ancient Offices and those added by the former Order is the first Magistrate of the Phylarch, or prerogative Troop: the Lord Lieutenant over and above his Duty mentioned, is Commander in Chief of the musters of the Pouth, and second Magistrate of the Phylarch; the Custos Rotulorum is to return the yearly Muster-Roles of the Tribe, as well that of the Pouth as of the Elders unto the Rolls in Emporium, and is the third Magistrate of the Phylarch: the Censors by themselves, and their sub-Censors, that is, the Overseers of the Parishes, are to see that the respective Lawes of the Ballot be observed in all the popular Assemblies of the Tribe: they have power also to put such Nationall Ministers, as in preaching shall intermeddle with the matter of Government, out of their livings; Except the party appeal unto the Phylarch, or unto the Council of Religion where in that case the Censors shall prosecute All and every one of these Magistrates, together with the Justices of Peace: and the Jury-men of the Hundreds, amounting in the whole number unto threescore and six, are the Prerogative Troop or Phylarch of the Tribe.

I.
Functions
of the Phylarch.

The function of the Phylarch or Prerogative Troop is five-fold; First, they are the Council of the Tribe, and as such to Govern the Musters of the same according to the foregoing Orders, having Cognizance of what hath passed in the Congregations, or Elections made in the Parishes or the Hundreds, with power to punish any undue practises or variation from their respective Rules and Orders, under an Appeal to the Parliament. A marriage legitimately is to be pronounced by the Parochial Congregation, the Muster of the Hundred, or the Phylarch; and if a Tribe have a desire (which they are to expresse at the Muster by their Captains, every Troop by his own) to petition the Parliament, the Phylarch as the Counsell shall frame the Petition in the Pabillon, and propose it by Clauses, unto the Ballot of the whole Tribe, and the Clauses that shall be affirmed by the Bal-

lot

lot of the Tribe; and be signed by the hands of the six Magistrates of the Prime Magnitude, shall be received and examined by the Parliament as the Petition of the Tribe, and no other.

Secondly, the Phylarch hath power to call unto their assistance what other Troops of the Tribe they please (be they Elders or Youth, whose discipline will be hereafter directed) and with these to receive the Judges Itinerant in their Circuits, whom the Magistrates of the Phylarch shall assist upon the Bench, and the Juries elsewhere in their proper Functions according unto the more Ancient Laws and Customs of this Nation.

Thirdly, the Phylarch shall hold the Court called the Quarter-Sessions according unto the Ancient Custom, and therein shall also hear Causes in order unto the Protection of Liberty of Conscience, by such Rules as are or shall hereafter be appointed by the Parliament.

Fourthly, all Commissions, issued into the Tribes by the Parliament, or by the Chancery, are to be directed unto the Phylarch, or some of that Troop, and executed by the same respectively.

Fifthly, In the Case of Levies of money the Parliament shall tax the Phylarchs, the Phylarchs shall tax the Hundreds, the Hundreds the Parishes, and the Parishes shall Levy it upon themselves: the Parishes having Levied the Tax money, accordingly shall return it unto the Officers of the Hundreds, the Hundreds unto the Phylarchs, and the Phylarchs unto the Exchequer: but if a man have ten Children living, he shall pay no taxes; if he have five living, he shall pay but half Taxes; if he have been Married three years, or be above twenty five years of age, and have no Child or Children Lawfully begotten, he shall pay double taxes: and if there happen to grow any dispute upon these or such other Orders as shall or may hereunto be added hereafter, the Phylarch shall judge the Tribes, and the Parliament shall judge the Phylarchs; for the rest, if any man shall go about to introduce the right or power of debate into any Popular Council or Congregation of this Nation, the Phylarch or any Magistrate of the Hundred or of the Tribe, shall cause him forthwith to be sent in Custody unto the Council of War.

The part of the Order relating unto the Rolls in *Emporium*, being of singular use, is not unworthy to be somewhat better opened; of Nilus.

Institution of the Roll called the Pillar

opened; In what manner the lists of the Parishes, Hundreds and Tribes are made, hath been shewen in their respective orders, whereafter the parties elected, they give account of the whole number of the Elders or Deputies in their respective assemblies or musters; the like for this part exactly, is done by the youth in their discipline (to be hereafter shewen): wherefore the lists of the Parishes Youth and Elders being summed up, give the whole number of the people able to beare Armes; and the lists of the Tribes Youth and Elders being summed up, give the whole number of the people, bearing Armes. This account being annually recorded by the Master of the Rolls is called the Pillar of Nilus, because the people being the riches of the Common-wealth, as they are found to rise or fall by the degrees of this Pillar like that River, give account of the publique Harvett.

Thus much for the description of the first daies work at the Muster, which happened, as hath been shewen, to be done as soone as said: for as in practise it is of small difficulty, so requires it not much time, seeing the great *Councill of Venice* consisting of a like number, begins at 12. of the Clock, and Elects nine Magistrates in one afternoon: But the Tribe being dismissed for this night, repaired unto their quarters, under the conduct of their new Magistrates. The next morning returning into the field very early, the Orator proceeded to

12. Ord.
Institution
of the Gal-
laxy.

The Twelfth Order; directing the Muster of the Tribe in the second dayes Election, being that of the List called the Galaxy, in which the Censors shall prepare the Urns according to the directions given in the Ninth Order for the second Ballot, that is to say, with 36. gold-Balls in the middle Urn, making four Orders, and nine Electors in every Order according unto the number of the Magistrates in the List of the Galaxy, which is as followeth:

- | | | |
|------------|---|--------------------------------|
| 1. Knight, | } | To be chosen out of the Horse. |
| 2. Knight | | |
| 3. Deputy | } | To be chosen out of the Horse. |
| 4. Deputy | | |
| 5. Deputy | | |
| 6. Deputy | } | To be chosen out of the Foot. |
| 7. Deputy | | |
| 8. Deputy | | |
| 9. Deputy | | |

The

The rest of the Ballot shall proceed Exactly according unto that of the first day: But for as much as the Common-wealth Demandeth as well the Fruits of a mans body as of his mind, he that hath not been married shall not be Capable of these Magistracies untill he be married; if a Deputy already chosen to be an Officer in the Parish in the Hundred or in the Tribe, be afterwards chosen of the Gallary, it shall be lawfull for him to Delegate his Office in the Parish, in the Hundred, or in the Tribe, unto any one of his own order, being not already chosen into office. The Knights and Deputies being chosen, shall be brought unto the head of the Tribe by the Lord High Sheriff, who shall administer unto them this Oath, [Ye shall well and truly observe and keep the Orders and Customs of this Common-wealth which the People have Chosen.] And if any of them shall refuse the Oath, he shall be rejected; and that Competitor which had the most voices next shall be called in his place; who if he take the Oath, shall be entred in the List; But if he also refuse the Oath, he who had most voices next shall be called, and so untill the number of nine out of those Competitors which had most voices be sworn Knights and Deputies of the Gallary: (This Clause, in regard of the late divisions, and to the end that no violence be offered unto any mans Conscience, to be of force but for the first three years only:) The Knights of the Gallary being elected and sworn, are to repair by the Sunday next ensuing the last of March unto the Pantheon or Pallace of Justice situate in the Metropolis of this Common-wealth, (except the Parliament through Sicknesse, or some other occasion, have adjourned unto some other part of the Nation) where they are to take their Places in the Senate, and continue in full Power and Commission as Senators for the full term of three years next ensuing the date of their Election. The Deputies of the Gallary are to repair by the same day (except as before excepted) unto the Hall situated in Emporium, where they are to be listed of the Prerogative Tribe or equall Representative of the people; and to continue in full power and Commission as their Deputies for the full term of three years, next ensuing their Election. But for as much as the term of every Magistracy, or office in this Common-wealth requireth an equall vacation, a Knight, a Deputy of the Gallary having fulfilled his term of three years, shall not be re-elected unto the same or any other Tribe, till he have also fulfilled his three years vacation.

Who

Who ever shall rightly consider the foregoing orders, will be as little able to find how it is possible, that a worshipfull Knight should declare himselfe in Ale and Biefe, worthy to serve his Country, as how my Lord High Sheriffs honour, in case he were protected from the Law, could play the Knave. But though the forgoing Orders so far as they regard the constitution of the Senate and the people, requiring no more as to an ordinary election then is therein explained, that is but one third part of their Knights and Deputies, are perfect; yet must wee in this place, and as to the Institution, of necessity erect a scaffold: For the Commonwealth to the first Creation of her Councils in full number, required thrice as many as are eligible by the foregoing Orders; wherefore the Gratour whose ayd in this place was most necessary, rightly informing the people of the reason, staid them two daies longer at the Muster, and tooke this course. One list containing two Knights and seven Deputies, he caused to be chosen upon the second day, which list being called the first Galaxy, qualified the parties elected of it, with power for the Terme of one yeare and no longer; another list containing two Knights and seven Deputies more, he caused to be chosen the third day, which list being called the second Galaxy, qualified the parties elected of it with power, for the terme of two yeares and no longer. And upon the fourth day he chose the third Galaxy according as it is directed by the Order, impowered for three yeares, which Lists successively falling (like the signes or constellations of one Hemisphere, that setting cause those of the other to rise) cast the great Orbs of this *Common-wealth* into an Annuall Triennial and Perpetual Revolution.

The businesse of the Muster being thus happily finisht, *Hermes de Caduceo*, Lord Orator of the Tribe of *Nubia*, being now put into her first Rapture, caused one of the censors Pulpits to be planted in front of the Squadron, and ascending into the same, spake after this manner:

My

My Lords the Magistrates, and
the People of the Tribe of
NUBIA,

V*VE* have this day solemnized
the happy *Nuptials* of the
two greatest Princes that are upon the
Earth, or in *Nature*; Arms and Coun-
cills : in the Mutual Embraces whereof
consisteth your whole Common-wealth:
whose Councils upon their perpetuall
Wheelings, Marches, and Counter-
marches, create her Armies; and whose
Armies with the golden Vollies of the
Ballot, at once create and Salute her
Councils. There be (such is the World
now adaies) that think it ridiculous to
see a Nation exercising her Civill fun-
ctions in military Discipline; while they
committing their Buffe unto their Ser-
vants, come themselves to hold Tren-
chards: For what availeth it such as are
unarmed, (or, which is all one, whose
Education acquainteth them not with
the proper use of their Swords) to be cal-
led Citizens? What were two or three
thousand of you, well affected to your
Country, but naked, unto one Troop of
Mercenary Souldiers? If they should
N come

come upon the Field and say, Gentlemen, It is thought fit that such and such men should be chosen by you; where were your Liberty? Or, Gentlemen, Parliaments are exceeding good, but you are to have a little patience, these Times are not so fit for them; where were your Common-wealth? What causeth the Monarchy of the Turks but Servants in Arms? What was it that begot the glorious Common-wealth of Rome, but the Sword in the hands of her Citizens? wherefore my glad Eyes salute the Serenity and brightnesse of this day with a showr that shall not cloud it. Behold, the Army of Israel become a Common-wealth, and the Common-wealth of Israel remaining an Army! with her Rulers of Tens and of Fifties, her Rulers of Hundreds, and her Rulers of Thousands, drawing near, (as this day throughout our happy Fields) unto the Lot by her Tribes, encreased above threefold, and led up by her Phylarchs, or Princes, to sit (Sellis Curulibus) upon Fifty Thrones, judging the Fifty Tribes of Oceana. Or, Is it Athens, breaking from her Iron Sepulchre; where she hath been so long Trampled upon by Hosts of Janizaries? For certainly that

that (nec vox hominem sonat) is the voice of Theseus, having gathered his scattered Athenians into one City.

—Hæc juris sui

Parere Domino Civitas vni negat:

Rex ipse Populus annuas mandat

Honoris huic, illive. — (vices

This Free-born Nation liveth not upon the Dole or Bounty of one Man; but distributing her Annually Magistracies and Honours with her own hand, is her self King People — (At which the Orator was a while interrupted with shouts, but at length proceeded)

— *Is it grave Lacedemon in her Armed Tribe divided by her Obæ and her Mora, which appears to chide me that I teach the people to talk, or conceive such Language as is drest like a woman, to be a fit Usher of the Foyes of Liberty into the hearts of men? Is it Rome in her Victorious Arms (for so she held her Concio or Congregation) that Congratulateth with us, for finding out that which she could not hit on, and binding up her Comitia Curiata, Centuriata, and Tributa in one inviolable League of Union? Or is it the Great*

Councill of incomparable Venice, bowling forth by the self-same Ballot her immortall Common-wealth? For, neither by Reason nor by her Experience is it impossible that a Common-wealth should be immortall; seeing the people being the materials never dyes, and the form which is motion must without opposition, be endlesse: The Bowl which is thrown from your hand, if there be no rub, no impediment, shall never cease: for which cause the glorious Luminaries that are the Bowles of God, were once thrown for ever; and next these, those of Venice. But certainly, my Lords, what ever these great Examples may have shewn us, we are the first that have shewn unto the World a Common-wealth Established in her rise upon Fifty such Towers, and so Garnizoned as are the Tribes of Oceana, containing one hundred thousand Elders upon the Annuall List, and yet but an out-guard; besides her marching Armies to be equall in the discipline, and in the number of her Youth.

And for as much as Soveraign powers is a necessary, but a formidable creature, not unlike the Powder, which (as you are Souldiers) is at once your safety, and your danger, being subject to take
fire

fire against you as for you ; how well and securely is She by your Gallaxy's, so collected as to be in full force and vigor, and yet so distributed, that it is impossible you should be blown up by your own Magazeen. Let them who will have it, that power if she be confin'd cannot be Sovereign, tell us, whether our Rivers do not enjoy a more secure and fruitfull reign within their proper banks, then if it were lawful for them, in ravishing our harvests, to spill themselves ? whether soules not confin'd unto their peculiar bodies do govern them any more, then those of Witches in their Trances ? Whether Power not confin'd unto the bounds of Reason and Virtue, have any other bounds then those of Vice and Passion ? or if Vice and Passion be boundlesse, and Reason and Virtue have certain Limits, on which of these Thrones holy men should anoint their Sovereign ? But to blow away this dust, The Sovereign power of a Common-wealth is no more bounded, that is to say, Streightened, then that of a Monarch, but is Ballanced. The Eagle mounteth not unto her proper pitch, if she be bounded ; nor, if she be not ballanced. And lest a Monarch should think that he can reach farther with his Scepter, the
Roman

Roman Eagle upon her Ballance spread
her wings from the Ocean to Euphrates.
Receive the Sovereign Power; you
have received her; hold her fast, em-
brace her for ever in your shining Arms:
The virtue of the Loadstone is not
impaired or Limited, but receiveth
strength and nourishment by being bound
in Iron. And so giving your Lordships
much joy, I take my leave of this Tribe.

The Orator descending, had the period of his speech made
with a vast applause, and exultation by the whole Tribe, at-
tending him, for that night unto his quarter, as the *Phylarch*,
with some commanded Troops, did the next day unto the
Frontiers of the Tribe, where Leave was taken on both sides
with more Teares then Grief.

Definition of
the Tribe.

So, *A Tribe is the third division of Land occasioned by the third
Collection of the People, whose functions proper unto that place are con-
tained in the five foregoing Orders.*

The Institution of the *Common-wealth* was such as needed those
props and Scaffolds, which may have troubled the Reader, but
I shall here take them away and come unto the Constitution
which stands by it selfe and yeelds a clearer prospect.

Constitution
of the Com-
mon-wealth.

The Motions by what hath been already shewn, are
Spherical, and Sphericall motions have their proper Center,
for which cause, (ere I proceed further) it will be necessary for
the better understanding of the whole, that I discover the Cen-
ter whereupon the motions of this *Common-wealth* are formed.

The Center or Basis of every Government, is no other then
the Fundamentall Lawes of the same.

Fundamentall Lawes are such as state what it is that a man
may call his own, that is to say, Proprietie; and what the
meanes be whereby a man may enjoy his own, that is to say
Protection: the first is also called Dominion, and second Empire
or Sovereigne power, whereof this (as hath been shewn) is the
naturall product of the former, for such as is the Ballance of
of the Dominion in a Nation, such as the nature of her Em-
pire.

wherefore the Fundamentall Lawes of *Oceana*, or the Center
of this *Common-wealth* are the *Agrarian*, and the *Ballot*. The

Agrarian

Agrarian by the Ballance of dominion preserving equalitie in the Reote, and the *Ballot* by an equall rotation conveying it into the branch, or exercise of Sovereigne power: as to begin with the former appearet, by

The Thirtieth Order, Constituting the Agrarian Lawes of Oceana, Marpesia and Panopea, whereby it is ordained, First, for all such Lands as are lying and being within the proper Territories of Oceana, that every man who is at present possessed, or shall hereafter be possessed of an Estate in Land exceeding the Revenue of two thousand pounds a year, and having more then one Son, shall leave his Lands either equally divided among them, in case the Lands amount unto above 2000 l. a year unto each; or so near equally in case they come under, that the greater part or portion of the same remaining unto the eldest, exceed not the value of two thousand pounds Revenue. And no man not in present possession of Lands above the value of two thousand pounds by the year, shall receive, enjoy, (except by Lawfull Inheritance) acquire or purchase unto himself, Lands within the said Territories amounting with those already in his possession, above the said Revenue. And if a man have a daughter, or daughters, except she be an Heir, or they be Heirs, he shall not leave or give unto any one of them in Marriage or otherwise for her portion above the value of one thousand five hundred pounds in Lands Goods and Monies: Nor shall any Friend, Kinsman, or Kinswoman add unto her or their Portion or Portions that are so provided for, to make any one of them greater: Nor shall any man demand, or have more in marriage, with any woman. Nevertheless an Heir shall enjoy her Lawfull Inheritance, and a Widow whatsoever the bounty or affection of her husband shall bequeath unto her, to be divided in the first Generation, wherein it is divisible according as hath been shewn.

Secondly, for Lands lying and being within the Territories of Marpesia, the Agrarian shall hold in all parts as it is established in Oceana, save onely in the Standard, or Proportion of Estates in Land, which shall be set for Marpesia at five Hundred pounds.

And thirdly, for Panopea, the Agrarian shall hold in all parts, as in Oceana. And whosoever possessing above the proportion allowed by these Lawes, shall be lawfully convicted of the same, shall forfeit the overplus unto the use of the State.

Agrarian Lawes of all others have ever been the greatest Bugbears, and so in the Institution were these, at which time it was ridiculous to see, how strange a fear appeared in every body of that which, being good for all, could hurt no body. But instead of the proof of this Order, I shall out of those many debates that happened ere it could be past, insert two *Speeches* that were made at the Councill of Legislators, the first by the Right Honourable *Philautus de Garbo*, a young man, being Heir apparent unto a very Noble Family, and one of the Counsellours, who expressed himself as followeth :

May it please your Highnesse,

My Lord Archon,

OF

Oceana,

IF I did not (to my Capacity) know from how profound a Counsellor I dissent ; it would certainly be no hard task to make it as light as the day ; First, that an *Agrarian* is altogether unnecessary : Secondly, that it is dangerous unto a *Common-wealth* : Thirdly, that it is insufficient to keep out *Monarchy* : Fourthly, that it destroyes *Families* : Fifthly, that it destroyes *Industry* : And last of all, that, though it were indeed of any good use, it will be a matter of such difficulty to introduce in this *Nation*, and so to settle that it may be lasting, as is altogether invincible.

1. First, that an *Agrarian* is unnecessary
unto

unto a Common-wealth, what clearer testimony can there be, than, that the Common-wealths which are our Contemporaries (Venice, wherèunto your Highnesse giveth the upper hand of all Antiquity, being one) have no such thing? And there can be no reason why they have it not, seeing it is in the Sovereign Power at any time to establish such an Order, but that they need it not; Wherefore no wonder if Aristotle who pretends to be a good Common-wealths-man, have long since derided Phaleas, to whom it was attributed by the Greeks, for this invention.

Secondly, That an Agrarian is dangerous unto a Common-wealth, is affirmed upon no sleight Authority, seeing Machiavill is positive, that it was the Dissention which happened about the Agrarian that caused the Destruction of Rome; Nor do I think that it did much better in Lacedemon, as I shall shew anon. 2.

Thirdly, That it is insufficient to keep out Monarchy, cannot without impiety be denied, the holy Scriptures bearing Witness, that the Common-wealth of Israel notwithstanding her Agrarian, submitted her neck unto the Arbitrary Yoke of her Princes. 3.

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Where-

4.

Wherefore to come unto my Fourth Assertion, That it is destructive unto Families; this also is so apparent, that it needeth pity rather then proof. Why alas do you bind a Nobility, which no Generation shall deny to have been the first that freely sacrificed her blood unto the ancient Liberties of this People, upon an unholy Altar? Why are the People taught, That their Liberty, which except our noble Ancestors had been born, must have long since been buried, cannot now be born except we be buried? A Commonwealth should have the innocence of the Dove: Let us leave this purchase of her birth unto the Serpent, which eateth her self out of the womb of her Mother.

5.

But it may be said perhaps, that we are false from our first Love, become proud and idle. It is certain (My Lords) that the hand of GOD is not upon us for nothing; but take heed how you admit of such assaults and sallies upon mens Estates, as may slacken the Nerve of labour, and give others also reason to believe that their sweat is vain; Or whatsoever be pretended, your Agrarian (which is my Fourth Assertion) must indeed destroy Industry: For, that so it
did

did in Lacedemon, is most apparent, as also that it could do no otherwise, where every man having his 40. Quarters of Barley, with Wine proportionable, supplied him out of his own Lot by his Labourer or Helott; and being confin'd in that unto the scantling above which he might not live, there was not any such thing as a Trade, or other Art, save that of War, in exercise; Wherefore a Spartane, if he were not in Arms, must sit and play with his fingers, whence ensued perpetuall War; And, the Estate of the Citizen being as little capable of encrease, as that of the Common-wealth, her inevitable Ruine. Now what better ends you can propose unto your selves in like wayes, I do not so well see, as that there may be worse; For Lacedemon yet, was free from civill War; but if you imploy your Citizens no better then she did, I cannot promise you that you shall fare so well, because both they are still desirous of War that hope it may be profitable unto them; And the strongest security you can give of Peace, is to make it gainfull; otherwise men will rather choose that whereby they may break your Lawes, then that whereby your Lawes may break them; which I do not speak so

much in relation unto the Nobility, or such as would be holding; as to the people or them that would be getting; the passion in these being of so much the more strength, as a mans felicity is weaker in the Fruition of things, then in the Prosecution and encrease of them.

Truly (my Lords) it is my fear, that by taking off more hands, and the best from Industry, you will farther indammage it, then can be repaired by laying on a few, and the worst: while the Nobility must be forced to send their Sons unto the Plough; and, as if this were not enough, to Marry their Daughters also unto Farmers.

6. *But I do not see (to come unto the last Point) how it is possible that this thing should be brought about, to your good I mean, though it may unto the Destruction of many: For that the Agrarian of Israel, or that of Lacedemon might stand, is no such miracle; the Lands without any Consideration of the former Proprietor, being surveyed and cast into equall Lots, which could neither be bought, nor sold, nor multiplyed; so that they knew whereabout to have a man: but in this Nation no such Division can be introduced, the Lands being already in
the*

the hands of Proprietors, and such whose Estates lye very rarely together, but mixed one with another, being also of Tenures in nature so different; that as there is no experience that an Agrarian was ever introduced in such a case, so there is no appearance how, or reason why, it should: but that which is against Reason and Experience is impossible.

The Case of my Lord *Philautus* was the most concern'd in the whole Nation; for he had four younger Brothers, his Father being yet Living unto whom he was Heir of ten thousand pounds a year: Wherefore being a man both of good parts and esteem, his words wrought both upon Mens Reason, and Passions, and had born a stroke at the head of the businesse, if my Lord *Archon* had not interposed the Buckler, in this Oration:

My Lords, the Legislators of
Oceana,

M*Y Lord Philautus hath made a thing which is easie, to seem hard; if he ought the thanks unto his Eloquence, it would be worthy of lesse Praise, then that he oweth it unto his merit, and the Love he hath most deservedly purchased of all men: nor is it rationally to be feared, that he who is so much before-hand in his Private, should be in Arrear in his Publique capacity. Wherefore my Lord's tenderesse throughout his Speech arising*

sing from no other principle then his solititude, lest the Agrarian should be hurtfull unto his Country; It is no lesse then my duty to give the best satisfaction I am able unto so good a Patriot, taking every one of his doubts in the Order proposed: And,

- I. First, Whereas my Lord, upon Observation of the Modern Common-wealths, is of opinion, that an Agrarian is not necessary; It must be confessed, that at the first sight of them there is some appearance favouring his Assertion: but upon Accidents of no presidents unto us. For the Common-wealths of Switz and Holland, I mean of those Leagues, being situated in Countries not alluring the Inhabitants unto wantonness, but obliging them unto universal Industry, have an implicate Agrarian in the nature of them: and being not obnoxious unto a growing Nobility, which as long as their former Monarchies spread the wing over them, could either not at all be hatched, or was soon broken; are of no Example unto us, whose experience in this point hath been unto the Contrary. But what if even in these Governments there be indeed an explicite Agrarian? For when the Law Commands an equall,
or

or near equall distribution of a mans Estate in Land among his Children, as in those Countries, a Nobility cannot grow, and so there needeth no Agrarian, or is one. And for the growth of the Nobility in Venice, (if so it be, for Machiavill observes in that Republick, as a cause of it, a great mediocrity of Estates) it is not a point that she is to fear, but might study, seeing She consisteth of nothing else but Nobility; by which, what ever their Estates suck from the People, especially if it come equally, is digested into the better blood of that Commonwealth, which is all, or the greatest benefit they can have by accumulation; for how unequall soever you will have them to be in their Incoms, they have Officers of the Pomp, to bring them equall in expences, or at least in the ostentation or shew of them: And so unlesse the advantage of an Estate consist more in the measure then in the use of it, the Authority of Venice, but enforceth our Agrarian; nor shall a man evade or elude the prudence of it, by the authority of any other Commonwealth; For if a Commonwealth have been introduced at once as those of Israel and Lacedemon, you are certain to find her underlayd
with

Arist. Pol.

1. 3.

c. 9.

with this as the main foundation; nor if she have ought more unto Fortune than Prudence, hath she raised her head without musing upon this matter, as appeareth by that of Athens, which through her Defect in this point, saith Aristotle, introduced her Ostracisme, as most of the Democracies of Greece. [Ob hanc itaq; causam civitates quæ Democræ tice administrantur Ostracismum instituunt:]. But not to restrain a Fundamental of such latitude unto any one kind of Government. Do we not yet see, that if there be a sole Landlord, of a vast Territory, he is the Turk? That if a few Land-Lords overballance a Populous Countrey, they have store of Servants? That if a People be in equall ballance, they can have no Lords? That no Government can otherwise be erected, then upon some one of these Foundations? That no one of these Foundations, (each being else apt to change into some other) can give any security unto the Government, unlesse it be fixed? That through the want of this fixation, potent Monarchies, and Commonwealths have falne upon the heads of the People, and accompanied their own sad Ruines with vast effusions of innocent Blood?

Blood? Let the Fame, as was the merit of the ancient Nobility of this Nation, be equall unto, or above what hath been already said, or can be spoken, yet have we seen not only their Glory, but that of a Throne, the most indulgent to, and least invasive for so many Ages upon the Liberty of a People that the World hath known, through the meer want of fixing her foot by a proportionable Agrarian upon her proper Foundation, to have falne with such horror, as hath been a Spectacle of astonishment unto the whole earth. And were it well argued from one Calamity, that we ought not to prevent another? Nor is Aristotle so good a Commonwealths-man for deriding the invention of Phaleas, as in recollecting himself, where he saith, That Democracies Pol. l. 5. c. 3. when a Lesser part of their Citizens overtop the rest in Wealth, degenerate into Oligarchies, and Principalities: And, which comes nearer unto the present purpose, that the greater part of the Nobility of Tarantum coming accidentally to be ruin'd, the Government of the Few came by consequence to be changed into that of the Many.

These things considered, I cannot see
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how

how an Agrarian as to the fixation or security of a Government can be lesse then necessary. And if a Cure be necessary, it excuseth not the Patient, his disease being otherwise desperate, that it is dangerous; which was the Case of Rome, not so stated by Machiavill, where he saith, That the strife about the Agrarian caused the Destruction of that Common-wealth. As if when a Senator was not rich (as Crassus held) except he could pay an Army, that Common-wealth could have done other then Ruine; whether in strife about the Agrarian, or without it: (Nuper divitiæ avaritiam & abundantes voluptates desiderium per luxum atq; libidinem pereundi perdendiq; omnia invexere:) If the greatest Security of a Common-wealth consist in being provided with the proper Antidote against this Poison, her greatest Danger must be from the absence of an Agrarian; which is the whole truth of the Roman example: For the Laconick, I shall reserve the farther explication of it, as my Lord also did to another Place: and first see whether an Agrarian proportioned unto a Popular Government, be sufficient to keep out Monarchy: My Lord

Liv. in
præf.

is for the negative, and fortified by the People of Israel electing a King. To which I say, That the Action of the People therein expressed is a full Answer unto the Objection of that example; For the Monarchy neither grew upon them, nor could by reason of the Agrarian possibly have invaded them, if they had not pull'd it upon themselves by the election of a King; which being an Accident, the like whereof is not to be found in any other People so planted, nor in this, till as it is manifest, they were given up by GOD unto infatuation, (for saith he to Samuel, They have not rejected Thee, but they have rejected Me, that I should not Reign over them) hath something in it which is apparent, by what went before, to have been besides the Course of Nature, and by what followed: For the King having no other foundation then the Calamities of the People, so often beaten by their Enemies, that despairing of themselves, they were contented with any Change; If he had Peace as in the dayes of Solomon, left but a slippery Throne unto his Successor, as appeared by Rehoboam. And the Agrarian, notwithstanding the Monarchy thus introduced, so faithfully pre-

P 2 served

served the Root of that Common-wealth, that it shot oftner forth, and by intervals continued longer then any other Government, as may be computed from the Institution of the same by Joshua, 1465. years before Christ, unto the totall Dissolution of it, which happened in the Raign of the Emperour Adrian 135. years after the Incarnation. A People planted upon an equall Agrarian, and holding to it, if they part with their liberty, must do it upon good will, and make but a bad title of their bounty. As to instance yet farther in that which is proposed by the present Order to this Nation, the Standard whereof is at 2000 l. a year. The whole Territory of Oceana being divided by this proportion, amounteth unto 5000. Lots. So the Lands of Oceana being thus distributed, and bound unto this distribution, can never fall unto fewer then Five thousand Proprietors. But Five thousand Proprietors so seased will not agree to break the Agrarian; for that were to agree to rob one another; Nor to bring in a King, because they must maintain him, and can have no benefit by him; Nor to exclude the People, because they can have as little by that, and must spoyle their Militia. So the Common-wealth

wealth continuing upon the ballance proposed, though it should come into Five thousand hands can never alter ; And that it should ever come into Five thousand hands, is as improbable as anything in the World that is not altogether impossible.

My Lords, other Considerations are more private : As that this Order destroys Families ; which is as if one should lay the ruins of some ancient Castle unto the Herbs which do usually grow out of them ; the destruction of those Families being that indeed which naturally produced this Order. For we do not now argue for that which we would have, but for that which we are already possessed of ; as would appear, if a note were but taken of all such as have at this day above Two thousand pounds a year in Oceana. If my Lord should grant (and I will put it with the most) that they who are Proprietors in Land, exceeding the proportion, exceed not Three hundred ; with what brow can the Interest of so few be ballanced with that of the whole Nation ? Or rather, what Interest have they to put in such a ballance ? They would live as they have been accustomed to do : Who hinders them ? They would enjoy
their

their Estates, Who touches them? They would dispose of what they have according unto the Interest of their Families; It is that which we desire. A man hath one Son, let him be called; Would he enjoy his Fathers Estate? It is his, and his Sons, and his Sons Sons after him. A man hath five Sons, let them be called, Would they enjoy their Fathers Estate? It is divided among them; for we have four Votes for one in the same Family, and therefore this must be the Interest of the Family; or the Family knoweth not her own Interest. If a man shall dispute otherwise, he must draw his Arguments from Custom, and from Greatnesse, which was the interest of the Monarchy, not of the Family: and we are now a Commonwealth. If the Monarchy could not bear with such divisions because they tended to a Commonwealth; neither can a Commonwealth connive at such accumulations, because they tend to a Monarchy. If the Monarchy might make bold with so many for the good of one; We may make bold with one for the good of so many, nay, for the good of all. My Lords, it cometh into my head, that upon occasion of the variety of Parties enumerated in our late Civill Wars, was
said

said by a Friend of mine coming home from his Travels, about the latter end of these Troubles; That he admired how it came to passe, that Younger Brothers, especially being so many more in number then their Elder, did not make one against a Tyranny, the like whereof hath not been exercised in any other Nation. And truly, when I consider that our Country-men are none of the worst natur'd, I must confesse I marveil much how it comes to passe, that we should use our Children, as we do our Puppies; take one, lay it in the lap, feed it with every good bit, and drown five! Nay worse; for as much as the Puppies are once drown'd, whereas the Children are left perpetually drowning. Really, my Lords, it is a flinty Custome! and all this for his cruell Ambition, that would raise himself a Pillar, a golden Pillar for his Monument, though he have Children, his own reviving Flesh, and a kind of immortality. And this is that Interest of a Family, for which we are to think ill of a Government that will not endure it. But quiet your selves. The Land through which the River Nilus wanders in one stream, is barren, but where he parts into Seven, he multiplies
his

his fertile shores, by distributing, yet keeping and improving such a Propriety and Nutrition, as is a prudent Agrarian unto a well ordered Commonwealth.

Nor (to come unto the fifth Assertion) is a Political body rendred any fitter for Industry, by having one Gouty, and another withered Leg, than a naturall: It tendeth not unto the improvement of Merchandize that there be some who have no need of their Trading, and others that are not able to follow it. If confinement discourage Industry, an Estate in money is not confined; and lest Industry should want whereupon to work, Land is not engrossed, nor entailed upon any man, but remains at her Devotion. I wonder whence the computation can arise, that this should discourage Industry? Two thousand pounds a year a man may enjoy in Oceana, as much in Panopea, Five hundred in Marpesia: there be other Plantations; and the Commonwealth will have more: Who knoweth how far the Arms of our Agrarian may extend themselves? and whether be that might have left a Pillar, may not leave a Temple or many Pillars unto his more pious Memory? Where there

is some measure in riches, a man may be rich; but if you will have them to be infinite, there will be no end of starving himself, and wanting what he hath: and what pains does such an one take to be poor! Furthermore if a man shall think, that there may be an Industry lesse greasie, or more noble, and so cast his thoughts upon the Common-wealth, he will have Leisure for her, and she Riches and Honours for him; his sweat shall smell like Alexander's. My Lord Philautus is a young Man, who enjoying his Ten thousand pounds a year, may keep a noble House in the old way, and have homely Guests: and having but Two, by the means proposed, may take the upper hand of his great Ancestors; with reverence unto whom, I may say, there hath not been one of them would have disputed his place with a Roman Consul. My Lord do not break my heart; the Nobility shall go unto no other Ploughs then those from which we call our Consuls. But saith he, it having been so with Lacedemon, that neither the City nor the Citizens was capable of increase, a blow was given by that Agrarian, which Ruined both. And what are we concerned with that Agrarian, or that blow,

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while

while our Citizens and our City (and that by our Agrarian) are both capable of encrease? The Spartane if he made a Conquest had not Citizens to hold it, the Oceaner will have enow: the Spartane could have no Trade, the Oceaner may have all. The Agrarian in Laconia, that it might bind on Knapsacks, forbidding all other Arts but that of War, could not make an Army of above 30000. Citizens. The Agrarian in Oceana without interruption of Traffique, provides us in the fifth part of the Youth an annuall source or fresh spring of 100000. besides our Provinciaall Auxiliaries; out of which to draw marching Armies; And as many Elders, not feeble, but men most of them in the flouwr of their Age, and in Arms for the defence of our Territories. The Agrarian in Laconia, banisht money; this, multiplies it. That, allowed a matter of twenty or thirty Acres to a man; this, two or three thousand: There is no Comparison between them. And yet I differ so much from my Lord, or his opinion, that the Agrarian was the Ruine of Lacedemon; that I hold it no lesse then demonstrable to have been her main support; For if
banish-

banishing all other diversions it could not make an Army of above 30000; then letting in all other diversions, it must have broken that Army: Wherefore Lysander bringing in the golden spoyles of Athens, irrecoverably ruind that Common-wealth; and is a warning to us, that in giving encouragement unto Industry, we also remember, that Covetousnesse is the root of all Evill. And our Agrarian can never be the cause of those Seditions threatened by my Lord, but is the proper cure of them, as Lucan noteth well in the State of Rome, before the Civil Wars, which happened through the want of such an Antidote;

Hinc usura vorax, rapidumq; in
tempore Fœnus,

Hinc concussa fides, et multis utile
bellum.

Why then are we mistaken, as if we intended not equall advantages in our Common-wealth unto either Sex, because we would not have womens fortunes consist in that metall, which exposeth them unto Cut-purses? If a man cut my purse, I may have him by the heels, or by the neck for it; Whereas a man may cut a

Womans purse and have her for his pains in fetters. How brutish, and much more then brutish, is that Common-wealth, which preferreth the Earth before the fruits of her Womb? If the people be her treasure, the staffe by which she is sustained and comforted, with what Justice can she suffer them, by whom she is most enriched, to be for that cause the most impoverished? and yet we see the gifts of God, and the bounties of Heaven in fruitful Families, through this wretched custome of marrying for money, become their insupportable grief and poverty: nor falleth this so heavy upon the lower sort, being better able to shift for themselves, as upon the Nobility or Gentry: For what availeth it in this case, from whence their veins have derived their blood; while they shall see the Tallow of a Chandler, sooner converted into that beauty which is required in a Bride? I appeal, whether my Lord Philautus or my self be the Advocate of Nobility; against which in the Case proposed by me, there would be nothing to hold the ballance. And why is a woman, if she may have but fifteen hundred pounds, undone? If she be unmarried, what Nobleman allows his Daughter in that case a greater Revenue,

nue, then so much money may command? And if she marry, no Nobleman can give his Daughter a greater portion then she hath. Who is hurt in this case? nay, who is not benefitted? If the Agrarian give us the sweat of our brows without diminution; if it prepare our table, if it make our Cup to overflow; and above all this, in providing for our Children, anoint our heads with that oyl which taketh away the greatest of worldly cares, what man, that is not besotted with a Covetousnesse as vain as endlesse, can imagine such a Constitution to be his Poverty, seeing where no woman can be considerable for her portion, no portion will be considerable with a woman; and so their Children will not only find better preferments without their brocage, but more freedom of their own affections. We are wonderfull severe in Laws, That they shall not marry without our consent; as if it were care and tendernesse over them: But is it not, lest we should not have the other thousand pound with this Son, or the other hundred pound a year more in Foyn-ture for that Daughter? These when we are crost in them are the sins for which we water our couch with tears, but not of Penitence; seeing whereas it is a mis-
chief

chief beyond any that we can do unto our enemies, we persist to make nothing of breaking the affection of our Children. But there is in this Agrarian an homage unto pure and spotlesse Love, the consequence whereof I will not give for all the Romances. An Alderman maketh not his Daughter a Countesse till he have given her 20000 l. nor a Romance a considerable Mistrisse till she be a Princesse; these are characters of bastard Love. But if our Agrarian exclude Ambition and Covetousness, we shall at length have the care of our own breed, in which we have been curious as to that of our Dogs and our Horses. The marriage bed will be truly Legitimate, and the Race of the Common-wealth not spurious.

But (impar magnanimis ausis imparq; dolori) I am hurl'd from all my hopes by my Lords last Assertion of Impossibility, that the Root from whence we imagine these fruits, should be planted or thrive in this soyl. And why? because of the mixture of Estates, and variety of Tenures. Nevertheless there is yet extant in the Exchequer an old Survey of the whole Nation; Wherefore such a thing is not impossible: Now
if

if a new survey were taken at the present Rates, and the Law made, that no man should hold hereafter above so much Land as is valued therein at 2000l, a year; it would amount unto a good and sufficient Agrarian. It is true, that there would remain some difficulty in the different kind of Rents; And that it is a matter requiring not only more leisure than we have; but an Authority which may be better able to bow men unto a more generall Consent, than is to be wrought out of them by such as are in our capacity: Wherefore, as to the Manner, it is necessary that we refer it unto the Parliament; but as to the Matter, they can no otherwise fix their Government upon the right Ballance.

I shall conclude with a few words, to some parts of the Order, which my Lord hath omitted. As first to the Consequences of the Agrarian to be settled in Marespesia, which irreparably breaks the Aristocracy of that Nation; being of such a nature, as standing, it is not possible that you should Govern. For while the People of that Country are little better

better then the Cattle of the Nobility, you must not wonder if according as these can make their Markets with Forreign Princes, you find these to be driven upon your Grounds: And if you be so tender now you have it in your Power, as not to hold an hand upon them that may prevent the Slaughter that must otherwise ensue in like Cases, the bloud will lye at your door. But in holding such an hand upon them, you may settle the Agrarian; and in settling the Agrarian, you give the People not only Liberty, but Lands; which makes your Protection necessary to their Security; and their Contribution due unto your Protection, as to their own Safety.

For the Agrarian of Panopea, it allowing such Proportions of so good Land, men that conceive themselves streightned by this in Oceana, will begin there to let themselves forth, where every Citizen will in time have his Villa. And there is no question, but the improvement of that Country by this means, must be far greater then it hath been in the best of former times.

I have no more to say, but that in those

those ancient and heroicall Ages, when men thought that to be necessary which was virtuous; the Nobility of Athens having the People so much engaged in their Debt, that there remained no other question among these, than, which of those should be King; no sooner heard Solon speak than they quitted their Debts, and restored the Commonwealth: Which ever after held a Solemn and Annuall Feast called the Si-facthia, or Recision in memory of that Action. Nor is this example the Phœnix; For at the Institution by Lycurgus, the Nobility having Estates (as ours here) in the Lands of Laconia, upon no other valuable Consideration, than the Commonwealth proposed by him, threw them up to be parcel'd by his Agrarian. But now when no man is desired to throw up a farthing of his money, or a shovell full of his Earth, and that all we can do, is but to make a Virtue of necessity: We are disputing whether we should have Peace, or War; For Peace, you cannot have without some Government, nor any Government without the proper Ballance: Wherefore if you will not fix this which you have, the rest

is blood, for without blood you can bring in no other.

By these Speeches made at the Institution of the Agrarian, you may perceive what were the Grounds of it. The next is

14. Ord.

The Fourteenth Order, constituting the Ballot of Venice, as it is fitted by severall alterations, and appointed unto every Assembly, to be the constant and only way of giving suffrage in this Commonwealth.

This is the generall Order, whence those branches of the Ballot, some whereof you have already seen are derived, which with those that follow were all read and debated in this place at the Institution; when my Lord *Epimonus de Garula* being one of the Counsellors, and having no farther patience, (though the Rules were composed by the Agent of this Commonwealth, residing for that purpose at *Venice*) then to heare the direction for the Parishes, stood up, and made way for himselfe in this manner:

May

*May it please your Highbresse, my
Lord Archon,*

Under Correction of Mr. *Peregrine Spy* our very Learned Agent and *Intelligencer*; I have seen the World a little *Venice*, and (as Gentlemen are permitted to do) the Great Councill Ballotting. And truly, I must needs say, that it is for a dumb shew the goodliest that I ever beheld with mine Eyes. You should have some would take it ill, as if the noble *Venetians* thought themselves too good to speak to Strangers, but they observed them not so narrowly: The truth is, they have nothing to say unto their Acquaintance; or, Men that are in Council sure would have tongues: For, a Council, and not a word spoken in it, is a Contradiction — But there is such a pudder with their Marching and Counter-marching, as though never a one of them draw a Sword, you would think they were Training; which till I found that they did it onely to entertain strangers, I came from among them as wise as I went thither — But in the *Parliament of Oceana* you had no Balls, nor Dancing, but sober Conversation, a Man might know and be known; shew his parts, and improve 'em. And now if you take the advice of this same Fellow you will spoyle all with his Whimsies. — *Mr. Speaker*,-- Cry you mercy, my Lord *Archon* I mean; Set the wisest Man of your House in the Great Council of *Venice*, and you will not know him, from a Fool. Whereas nothing is more certain, then that flat and dull fellowes in the Judgment of all such as used to keep Company with them before, upon Election into our House, have immediately chitted like Barley in the fat, where it acquires a new Spirit, and flow'd forth into Language, that I am as confident as I am here, if there were not such as delight to abuse us, is far better then *Tully's*: Or, let any body but translate one of his Orations, and speak it in the House, and see if every body do not laugh at him. This is a great matter,

Mr. Speaker, they do not cant it with your book-Learning, your Orbs, your Centers, your prime Magnitudes, and your Nebulones, things I professe that would make a sober man run stark mad to hear 'em; while we, who should be considering the Honour of our Country, and that it goes now or never upon our hand, whether it shall be ridiculous to all the world; are going to nine-holes, or throw-Madam for our Businesse, like your dumb *Venetian*, whom this same Sir Politick your Resident that never saw him do any thing but make faces, would insinuate into you, at this distance, to have the onely knack of State: Whereas if you should take the pains as I have done to look a little nearer, you would find these same wonderful things to be nothing else, but meer naturall Fopperies or *Capricio's*, as they call them in *Italien*, even of the meanest of that Nation: For, put the Case you be travelling in *Italy*, ask your *Contadino*, that is, the next Country-fellow you meet some question, and presently he ballots you an answer with a nod, which is Affirmative; or a shake with his head, which is the Negative box: Or a shrug with his shoulder, which is the *Bossolo di non sinceri*.—— Good! You will admire *Sandes* for telling you, that *Grotta di cane* is a Miracle: and I shall be laughed at for assuring you, that it is nothing else but such a damp (continued by the neighbourhood of certain Sulphur-mines) as through accidental heat doth sometimes happen in our Coal-Pits. But ingratitude must not discourage an honest man from doing good. There is not, I say, such a tongue-ty'd Generation under Heaven as your *Italian*; that you should not wonder if he make signs. But our People must have something in their *Diurnalls*, we must ever and anon be telling 'em our minds; or if we be at it when we raise Taxes like those Gentlemen with the finger and the thumb, they will swear that we are Cut-purses.—— Come, I know what I have heard 'em say, when some men had money that wrought hard enough for it: and do you conceive they will be better pleased when they shall be told, that upon like occasions you are at Mum-chance or Stool-ball? I do not
speak

speak for my self; for though I shall alwaies acknowledge,
 that I got more by one years sitting in the House, then by my
 three years Travels; it was not of that kind. But I hate that
 this same *Spy* for pretending to have plaid at Billiards with
 the most Serene Common-Wealth of *Venice*, should make
 such fools of us here; when I know that he must have had his
 intelligence from some Corn-Cutter upon the *Rialta*; for a
 noble *Venetian* would be hang'd if he should keep such a fel-
 low Company. — And yet if I do not think he hath made
 you all dote, never trust me, my Lord *Archon* is sometimes in
 such strange Raptures. Why good my Lord let me be heard
 as well as your Aple Squire, She hath fresh blood in her
 Cheeks, I must confesse, but she is but an old Lady; nor has
 he pickt her Cabinet; these he sends you are none of her Re-
 ceipts I can assure you, he bought them for a *Julio* at *St.*
Marks of a Mountebank: She hath no other wash upon my
 knowledge for that same envy'd Complexion of hers but her
Marshes, being a little better sented, saving your presence, then
 a Chamber-pot. — My *Lords*, I know what I say, But you
 will never have done with it, That neither the great *Turk*, nor
 any of those little *Turks* her Neighbours have been able to
 spoyl her! Why you may as well wonder that *weefls* do not
 suck Eggs in *Swans*-Nests. — Do you think that it hath
 layn in the Devotion of her Beads; which you that have peu-
 ked so much at Popery, are now at length resolv'd, shall Con-
 secrate *M. Parson*, and be dropt by every one of his Congre-
 gation, while those same whimsicall Intelligences your Sur-
 veyors (you will break my heart) give the turn unto your *Pri-*
mmum Mobile? and so I think they will, for you will find, that
 Money is the *Primum Mobile*, and they will turn you thus out
 of some three or four hundred thousand pounds. A pretty
 Summe for Urns, and Balls, for Boxes and Pills, which these
 same quackfalvers are to Administer unto the Parishes, and
 for what disease I mervail! Or how does it Work? Out
 comes a Constable, an Overseer, and a Church-warden! Mr.
Speaker, I am amaz'd!

Never

Never was there Goose so stuck with Lard as my Lord Epimonus's Speech with laughter, The Archon having much ado to recover himself, in such manner as might enable him to return these thanks:

IN your whole lives (my Lords) were you never entertained with so much Ingenuity; my Lord Epimonus having at once mended all the faults of Travelers. For first, whereas they are abominable Liars, he hath not told you (except some malicious body have mis-informed him, concerning poor Spy) one syllable of falsehood. And Secondly, whereas they never fail to give the upper hand in all their Discourses unto Forraign Nations, still justling their own into the Kennell; he bears an Honour unto his Country that will not dissolve in Cephalonia, nor be corrupted with Figs, and Melons, which I can assure you is no ordinary Obligation: and therefore hold it a matter of publick concernment, that we be no occasion of quenching my Lords Affections; nor is there any such great matter between us, but might me thinks be easily reconciled: for though that which my Lord gained by sitting in the House, I stedfastly believe, as he can affirm, was gotten fairly; yet dare I not, nor do I think, that upon consideration, he will promise so much for

for other Gamesters, especially when they were at it so high, as he intimates not only to have been in use, but to be like enough to come about again. Wherefore (say I) let them throw with boxes; for unlesse we will be below the Politicks of an ordinary, there is no such barre unto Cogging. It is known unto his Lordship, that our Game is, Most at a throw, and that every cast of our Dice is, in our Suffrages; nor will he deny, that partiality in a Suffrage is downright Cogging. Now if the Venetian boxes be the most sovereign of all Remedies against this same Cogging: Is it not a strange thing that they should be thrown first into the fire by a fair Gamester? Men are naturally subject unto all kinds of Passion; Some you have that are not able to withstand the brow of an Enemy; And, others that make nothing of this, are lesse of proof against that of a Friend; So that if your Suffrage be bare-faced, I dare say you shall not have one fair cast in twenty. But what ever a mans fortune be at the box, he neither knoweth whom to thank, nor whom to Challenge. Wherefore (that my Lord may have a Charitable opinion of the choice Affection which I confesse to have above all other beauties, for that
of

of incomparable Venice) there is in this way of Suffrage no lesse then a demonstration that it is the most pure; and the purity of the Suffrage in a popular Government is the health, if not the life of it; seeing the Soul is no otherwise breathed into the Sovereign Power, then by the Suffrage of the People. Wherefore no wonder if Postellus be of opinion, that this use of the Ball is the very same with that which was of the Bean in Athens; or, that others, by the Text concerning Eldad and Medad, derive it from the Common-wealth of Israel. There is another thing, though not so materiall unto us, that my Lord will excuse Me, if I be not willing to yield, which is that Venice subsisteth only by her Situation; It is true, that a man in time of Warre, may be more secure from his Enemies, by being in a Citadell; but not from his Diseases; wherefore the first cause, if he live long, is his good Constitution, without which his Citadell were to little purpose; and it is no otherwise with Venice.

With this speech of the *Archon*, I conclude, the prooffe of the *Agrarian*; and of the *Ballot*, being the Fundamentall Lawes of this *Common-wealth*; and come now from the Center to the circumferences or Orbes, whereof some have been already shewn; As how the *Parishes* annually poure themselves into the

the Hundreds, the Hundreds into the Tribes ; and the Tribes into the *Gallaxy's*, the *Annually Gallaxy* of every Tribe consisting of two Knights, and seven Deputies, whereof the *Knights* constitute the Senate ; the Deputies, the *Prerogative Tribe* commonly called the people : and the Senate and the people constitute the Sovereigne Power, or Parliament of *Oceana*. Wherefore to shew what the *Parliament* is, I must first open the Senate, and then the people, or *Prerogative Tribe*.

To begin with the Senate, of which (as a man is differently represented by a Picture drawer, and by an Anatomist) I shall first discover the face or aspect, and then the parts, with the use of them. Every Munday-Morning in the Summer, at seven, and in the Winter at eight, the great Bell in the Clockhouse at the Pantheon beginneth, and continueth Ringing for the space of one houre, in which time the Magistrates of the Senate, being attended according to their quality, with a respective number of the Balotines, Doore-keepers, and Messengers, and having the Ensignes of their Magistracies borne before them, as the Sword before the *Strategus*, the Mace before the Orator, a Mace with the Seale before the *Commissioners* of the *Chancery*, the like with the Purse before the *Commissioners* of the *Tesury*; and a Silver wand, like those in use with the Universities, before each of the *Censors* being *Chancellors* of the same. These with the Knights, in all Three hundred, Assemble in the House or Hall of the Senate.

The face of
the Senate.

The House or Hall of the Senate, being situated in the Pantheon or Pallace of Justice, is a roome consisting of a Square and a halfe: in the middle of the lower end is the doore, at the upper end hangeth a rich State overshaddowing the greater part of a large Throne, or halfe pace of two Stages, the first ascended by two steps from the floore, and the second about the middle, rising two steps higher. Upon this stand two Chaires, in that on the right hand sits the *Strategus*, in the other the *Orator*, adorned with Scarlet Robes, after the fashion that was used by the *Dukes* in the *Aristocracy*. At the right end of the upper Stage, stand three Chaires, in which the three *Commissioners* of the Seale are placed, and at the other end sit the three *Commissioners* of the *Treasury*, every one in a Robe, or habit like that of the Earls, of these Magistrates of this upper Stage consisteth the Signory. At either end of the lower Stage stands a little Table, to which the Sacreteries of the Senate are set with their tufted sleeves in the habit of civill Lawyers. Unto the foure steps, whereby the two Stages of the Throne are ascended, answer foure long Benches, which successively deriving from every one of the steps containe their respective height, and extend themselves by the side Walls towards the lower end of the house, every bench
S being

being divided by numerall Characters into the Thirty seven parts or places. Upon the upper benches sit the Censors in the Robes of Barons; the first in the middle of the right hand bench, and the second directly opposite unto him on the other side. Upon the rest of the Benches sit the Knights, who if they be called unto the Urnes distributing themselves by the figures come in equall files, either by the first scale which consisteth of the two upper benches on either side; or by the second scale consisting of the two lower benches on either side; beginning also at the upper, or at the lower ends of the same according to the Lot whereby they are called for which end the benches are open, and ascended at either end with easy staires, and large passages. The rest of the ballot is conformable unto that of the Tribe; the Censors of the house sitting at the side Urnes, and the youngest Magistrate of the Signory, at the middle; the Urnes being placed before the Throne, and prepared according unto the number of the Magistrates to be at that time chosen by the rules already given unto the Censors of the Tribes. But before the benches of the Knights on either side stands one being shorter; and at the upper end of this, sit the two Tribunes of the Horse; at the upper end of the other, the two Tribunes of the foot in their Armes; the rest of the benches being covered by the Judges of the Land in their Robes; but these Magistrates have no suffrage; neither the Tribunes, though they derive their presence in the Senate, from the Romans; nor the Judges, though they derive theirs, from the ancient Senate of *Oceana*. Every Monday, this assembly sits of course; at other times, if there be occasion, any Magistrate of the House by giving order for the Bell or by his listor, or ensigne-bearer calls a Senate; And every Magistrate or Knight during his session hath the Title, Place, and Honour of a Duke, Earle, Baron or Knight respectively. And every one that hath borne the same Magistracy (*tertiò*) by his third session, hath his respective place, and Title during the terme of his Life, which is all the Honour conferr'd by this Common-wealth, except upon the Master of the Ceremonies, the Master of the Horse, and the King of the Heraulds, who are Knights by their Places. And thus you have the Face of the Senate, in which there is scarce any feature that is not *Roman* or *Venetian*; nor do the Hornes of this Crescent extend themselves much unlike those of the *Sanhedrim*, on either hand of the Prince, and of the Father of that Senate. But upon Beauty in which every Man hath his phansy, we will not otherwise Phylosophize then to remember that there is something more then decency in the Robe of a Judge; that would not be well spared from the Bench; and that the grævest Magistrate unto whom

whom you can commit the Sword of Justice, will find a quickness in the spurrs of Honour, which if they be not laid unto virtue, will lay themselves unto that which may rout a Common-wealth.

To come from the Face of the Senate, unto the Constitution and use of the parts: It is contained in the peculiar Orders. *Constitution of the Senate.* And the Orders which are peculiar unto the Senate, are either of Election, or Instruction.

Elections in the Senate are of three sorts, *Annuall*, *Bienniall*, and *Extraordinary*.

Annuall Elections are performed by the Schedule called the *Tropick*: and the *Tropick*, consisteth of two parts; the one containing the *Magistrates*; and the other the *Councillors*, to be yearly elected. The Schedule or *Tropick* of the *Magistrates*, is as followeth in

The *Fiftieth Order*, requiring, That upon every *Monday* next ensuing the last of *March*, the *Knights* of the *Annuall Gallaxys* taking their places in the Senate, be called the first *Region* of the same; and that the House having dismissed the third *Region*, and received the first, proceed unto Election of the *Magistrates* contained in the first part of the *Tropick*, by the ensuing Schedule, *15. Ord. Tropick of the Magistrates:*

The Lord Strategus.	}	<i>Annuall</i> <i>Magistrates.</i>
The Lord Orator.		
The first Censor.		
The second Censor.		
The third Commissioner of the Seal.	}	<i>Trienniall</i> <i>Magistrates.</i>
The third Commissioner of the Treasury.		

The *Annuall Magistrates* (provided that no one Man bear above one of those Honours during the term of one Session) may be elected out of any *Region*. But the *Trienniall Magistrates* may not be elected out of any other, then the third *Region* only, lest the term of their Session expire before that of their Honour; and (it being unlawful for any man to bear *Magistracy* any longer then he is thereunto qualified by the Election of the People) cause a fraction in the Rotation of this Common-wealth.

Of the Strategus.

The Strategus is first President of the Senate, and Generall of the Army, if it be commanded to March; in which case there shall be a second Strategus elected to be first President of the Senate; and Generall of the second Army; and if this also be Commanded to March, a third Strategus shall be chosen; and so as long as the Commonwealth sendeth forth Armies.

Of the Orator.

The Lord Orator is second and more peculiar President of the Senate, unto whom it appertaineth to keep the House unto Orders.

Of the Censors.

The Censors, whereof the first by consequence of his Election is Chancellor of the University of Clio, and the second of that of Caliope; are Presidents of the Council for Religion and Magistracies, unto whom it belongeth to keep the House unto the order of the Ballot. They are also Inquisitors into the wayes and meanes of acquiring Magistracy; and have power to punish indirect proceeding in the same, by removing a Knight or Magistrate out of the House, under appeal unto the Senate.

Of the Commissioners of the Seal.

The Commissioners of the Seale being three, whereof the third is annually chosen out of the third Region, are Judges in Chancery.

Of the Commissioners of the Treasury.

The Commissioners of the Treasury being three, whereof the third is annually chosen out of the third Region, are Judges in the Exchequer; and every Magistrate of this Schedule, hath right to propose unto the Senate.

Of the Signory.

But the Strategus with the six Commissioners are the Signory of this Commonwealth having right of Session and Suffrage in every Council of the Senate, and power either jointly or severally, to propose in all or any of them,

I have little in this Order to observe or prove; but that the Strategus is the same honour, both in name and thing that was borne, among others, by *Philopenen* and *Aratus* in the Commonwealth of the *Acheans*; the like having been in use also with the *Ætolians* (*Quem ut Achei Strategon nominabant*, saith *Emmianus*). The Orator, called otherwise the Speaker, is with small alteration the same that had been of former use in this Nation. These two, if you will, may be compared unto the *Consuls* in *Rome*, or the *Suffetes* in *Carthage*; for their Magistracy is scarce different.

The Censors derive their power of removing a Senator, from those of *Rome*; the Government of the Ballot, from those of *Venice*;

Venice; and that of animadversion upon the *Ambitus*, or canvace for Magistracy, from both.

The *Signory* with the whole right and use of that Magistracy, to be hereafter more fully explained, is almost purely *Venetian*.

The second part of the Tropick is directed by

The Sixteenth Order, whereby the constitution of the Councils, being four, that is to say, the Council of State, the Council of Warre, the Council of Religion, and the Council of Trade; is rendered conformable in their Revolutions unto that of the Senate. As first, by the annuall election of five knights, out of the third Region of the Senate, into the Council of State, consisting of sixteen knights, five in every Region. Secondly by the annuall election of three knights out of the third Region of the Council of State, to be proposed by the Provosts and elected by that Council, into the Council of Warre, consisting of nine knights, three in every Region not excluded by this election from remaining members also of the Council of State: the four Tribunes of the people have right of Session and Suffrage in the Council of Warre. Thirdly by the annuall election of four knights out of the third Region of the Senate into the Council of Religion, consisting of twelve knights, four in every Region: of this Council, the Censors are Presidents. Fourthly by the annuall election of four knights out of the third Region of the Senate, into the Council of Trade, consisting of twelve knights, four in every Region. And each Region in every one of these Councils thus constituted, shall weekly and interchangeably elect one Provost, whose Magistracy shall continue for one week, nor shall he be re-elected into the same till every knight of that Region in the same Council have once borne the same Magistracy. And the Provosts being one in every Region, three in every Council, and twelve in all, besides their other Capacities, shall assemble and be a Council or rather an Academy apart, to certaine ends and purposes to be hereafter farther explained with those of the rest of the Councils.

16. Ord.
Constitution
of the Councils.

Of the
Council of
State.

Of the
Council of
Warre.

Of the Council
of Religion.

Of the Council
of Trade.
Of the Provosts.

Of the Council
of the
Provosts.

This Order is of no other use then for the frame and turne of the Councils, and yet of no small one: for in motion consisteth Life, and the motion of a *Common-wealth* will never be currant, unlesse it be circular. Men that, like my Lord *Epimonus*, not induring the resemblance of this kind of Government unto Orbes and Spheres, fall on Physicking and purging of it, do no more then is necessary; for if it be not in Rotati-

on,

on both as to Persons and Things, it will be very sick. The People of *Rome*, as to Persons, if they had not been taken up by the wheele of Magistracy, had overturned the Charriot of the Senate. And those of *Lacedemon* as to Things, had not been so quiet when the Senate trasht their businesse, by ineroaching upon the result, if by the institution of the *Ephors* they had not brought it about againe. So that if you allow not a *Common-wealth*, her Rotation, in which consists her equality, you reduce her to a party, and then it is necessary that you be Physicians indeed, or rather Farriers; for you will have strong Patients, and such as must be halterd and cast, or your selves may need bone-setters. Wherefore the Councils of this *Common-wealth*, both in regard of their Elections, and, as will be shewn, of their Affaires, are uniforme with the Senate in their Revolutions, not as Whirle-pits, to swallow, but to bite, and with the scrues of their Rotation, hold and turne a businesse like the Vice of a Smith, unto the hand of the Work-man; Without Engines of which nature it is not possible for the Senate, much lesse for the people, to be perfect Artificers in a Politicall capacity. But I shall not hold you longer from

17. Ord.
Constitution
of the Ben-
nial Election
or Orbe of
Embassa-
dors in or-
dinary.

The Seaventeenth Order, directing Bienniall elections or the constitution of the Orbe of Embassadors in Ordinary, consisting of four Residences, the Revolution whereof is performed in eight yeares, and preserved through the election of one Ambassadors in two yeares by the ballot of the Senate to repaire unto the Court of France and reside there for the terme of two yeares; and the terme of two yeares being expired, to remove from thence unto the Court of Spaine, there to continue for the space of two yeares; and thence to remove unto the State of Venice; And after two yeares residence in that City, to conclude with his residence at Constantinople, for a like terme of time, and so to returne. A Knight of the Senate or a Deputy of the Prerogative may not be Elected Ambassador in Ordinary, because a Knight or Deputy so chosen, must either lose his Session, which would cause an unebennesse in the motion of this Common-wealth, or accumulate Magistracy, which agreeth not with the equality of the same. Nor may any man be elected into this Capacity that is above five and thirty yeares of age, lest the Common-wealth lose the Charge of his education, by being deprived at his returne of the fruit of it, or else enjoy it not long, through the defects of nature.

This Order is the perspective of the Common-wealth whereby the foreseeeth danger; or the Traffick, whereby the receiveth

receiveth every two yeares the returne of a States-man enriched with eight yeares experience, from the prime *Martes* of Negotiation in *Europe*. And so much for the Elections in the Senate that are ordinary, such as are extraordinary follow in

18. Ord.
*Constitution
of Election
Extraordi-
nary, or by
the Scrute-
ny.*

The Eighteenth Order, appointing all Elections upon emergent occasions except that of the dictator to be made by the Scrutiny, or that kind of Election, whereby a Council comes to be a fifth Order of Electors. For example, if there be occasion of an Ambassador Extraordinary, the Probosts of the Council of State, or any two of them shall propose unto the same, till one Competitor be chosen by that Council: and the Council having chosen a Competitor shall bring his name into the Senate, which in the usuall way shall choose foure more Competitors unto the same Magistracy; and put them with the Competitor of the Council, unto the Ballot of the House, by which he of the five that is chosen, is said to be elected by the Scrutiny of the Council of State. A Vice-Admiral, a Polemarch, or Field-Officer shall be elected after the same manner, by the Scrutiny of the Council of War. A Judge or Serjeant at Law by the Scrutiny of the Commissioners of the Seale. A Baron, or considerable Officer of the Exchequer by the Scrutiny of the Commissioners of the Treasury. Men in Magistracy, or out of it are equally capable of election by the Scrutiny; But a Magistrate or Officer elected by the Scrutiny unto a Military imployment; if he be neither a Knight of the Senate, nor a Deputy of the Prerogative ought to have his Office confirmed by the Prerogative, because the Militia in a Commonwealth, where the people are Sovereign, is not lawfull to be touched in iussu Populi.

The Romans were so curious that though their Consuls were elected *Centuriatis*, they might not touch the Militia, except they were confirmed *Curiatis Comitibus*: for a Magistrate not receiving his power from the People, takes it from them; and to take away their Power is to take away their Liberty. As to the Election by the Scrutiny it may be easily perceived to be Venetian, there being no such way to take in the knowledge, which in all reason must be best in every Council of such men as are most fit for their turnes, and yet to keepe them from the bias of particular affection or interest under that pretence: For the cause why the great Council, in *Venice* scarce ever elects any other then the Name that is brought in by the Scrutiny, is very probable to be; that they may. This election is the last of those appertayning unto the Senate, the Councils

cils being chosen by the Orders already shewn; It remaineth that we come unto those whereby they are instructed; and the Orders of Instruction unto the Councils are two; The first for the subject Matter, whereupon they are to proceed; and the second, for the Manner of their proceeding. The subject matter of the Councils, is distributed unto them by

19. Ord.
Instructions
for the
Councils as
to their Sub-
ject Matter.

For the
Council of
State.

The Nineteenth Order, distributing unto every Council such businesses as are properly to belong unto their Cognizance, whereof some they shall receive and determine; And others they shall receive, prepare and introduce into the House, as first,

For the
Council of
War.

The Council of State is to receive all Addresses, Intelligences and Letters of Negotiation; to give audience to Embassadors sent unto, and to draw up Instructions for such as shall be sent by this Commonwealth; to receive propositions from, and hold intelligence with the Protestant Councils; to consider upon all Laws to be Enacted, amended, or Repealed; and upon all Levies of men, or money; Warr, or Peace, Leagues or Associations to be made by this Commonwealth, so farre forth as is conduible unto the orderly preparation of the same to be introduced by them into the Senate. Provided that all such affaires, as otherwise appertayning unto the Council of State are, for the good of the Commonwealth, to be carryed with greater Secrecy, be mannaged by the Council of Warr, with power to receive and send forth Agents, Spys, Emisarrys, Intelligencers, Frigots; And to mannage affaires of that nature, if it be necessary without communication unto the Senate, till such time as it may be had without detriment unto the businesse. But they shall have no power to engage the Commonwealth in a Warr, without the consent of the Senate and the People. It appertaineth also unto this Council to take Charge of the Fleet as Admiral; and of all Storehouses, Armourys, Arsenalls, and Magazines appertayning unto this Commonwealth. They shall keepe a diligent record of the Military expeditions from time to time reported by him that was Strategus or Generall, or one of the Polemarchs in that action; or at least so farre forth as the experience of such Commanders may tend unto the improvement of the Military discipline, which they shall digest, and introduce into the Senate: and if the Senate shall thereupon frame any Article, they shall see that it be observed in the Musters or education of the Youth. And whereas the Council of Warr is the Centinel or Scout of this Commonwealth, if any Person or Per-

sons shall goe about to introduce ; Debate, into any Popular assembly of the same ; or otherwise to alter the present Government, or strike at the root of it, they shall apprehend, or cause to be apprehended, seized, imprisoned; and examine, arraigne, acquit, or condemne, and cause to be executed any such Person, or Persons, of their proper Power and Authority, and without appeale.

The Council of Religion; as the Arbitrer of this Common-wealth in cases of conscience more peculiarly appertayning unto Religion, Christian Charity, and a pious Life ; shall have the care of the nationall Religion, and the protection of the Liberty of Conscience, with the Cognizance of all causes relating unto either of them. And first as to the nationall Religion ; They shall cause all places or preferments of the best Revenue in either of the Universties to be conferred upon none other then such of the most learned and pious men, as have dedicated themselves unto the study of Theology. They shall also take an especiall care that by such Augmentations as be, or shall hereafter be appointed by the Senate, every Benefice in this nation be improved at the least unto the value of One hundred pounds a year. And to the end that there be no interest at all, whereby the Divines or Teachers of the nationall Religion, may be corrupted, or corrupt Religion, they shall be capable of no other kind of Imployment or Preferment in this Common-wealth. And whereas a Directory for the administration of the nationall Religion, is to be prepared by this Council, they shall in this and other Debates of this nature proceed in manner following : A question arising in matter of Religion shall be put and stated by the Council in writing ; which Writing the Censors shall send by their Beadles (being Proctors chosen to attend them) each unto the Universtie whereof he is Chancellor ; and the Vice-Chancellor of the same receyving the writing, shall call a Convocation of all the Divines of that Universtie being abowe forty years of age ; And the Universties upon a Point so proposed, shall have no manner of Intelligence or Correspondence one with another, untill their Debates be ended, and they have made return of their Answers unto the Council of Religion by two or three of their own Members, that may clear their sense if any doubt should arise, unto the Council ; which done, they shall return, and the Council having receyved such information, shall proceed according unto their own Judgments, in the Preparation of the whole matter for the Senate. That to the interest of the Learned being removed, there may be a

For the
Council of
Religion.

right Application of Reason unto Scripture, which is the Foundation of the National Religion.

Secondly, this Council as to the Protection of the liberty of Conscience, shall suffer no coercive Power in the matter of Religion to be exercised in this Nation. The Teachers of the National Religion being no other then such as voluntarily undertake that calling; and their Auditors or Hearers, no other then are also voluntary. Nor shall any gathered Congregation be molested or interrupted in their way of Worship (being neither Jewish nor Idolatrous) but vigilantly, and vigorously protected and defended in the enjoyment practice and profession of the same. And if there be Officers, or Auditors appointed by any such Congregation, for the introduction of Causes into the Council of Religion, all such Causes so introduced shall be received, heard and determined by the same, (with recourse had if need be unto the Senate.)

Thirdly, every Petition addrested unto the Senate, except that of a Tribe shall be received, examined, and debated by this Council; and such only as they upon such examination and debate had shall think fit may be introduced into the Senate.

*For the
Council of
Trade.*

The Council of Trade being the Vena Porta of this Nation shall hereafter receive Instructions more at large: For the present, their experience attaining unto a right Understanding of those Trades, and Mysteries that feed the veins of this Common-wealth and a true distinction of them from those that suck, or exhaust the same; they shall acquaint the Senate with the Conveniencies, and Inconveniencies, to the end that encouragement may be applied unto the one, and remedy to the other.

*For the
Academy of
the Pro-
volks.*

The Academy of the Provolks being the affability of the Common-wealth, shall assemble every day towards the evening in a safe Room, having certain withdrawing Rooms thereunto belonging. And all sorts of Company that will repair thither for Conversation, or discourse, to it be upon the matter of Government, Affairs, or Intelligence, or to propose any thing unto the Councils, shall be freely and affably received in the Outer Chamber, and heard in the way of civil Conversation, which is to be managed without any other Awe or Ceremony, then thereunto is usually appertaining, to the end that every

every man may be free; and that what is proposed by one, may be argued or discoursed upon by the rest, except the matter be of secrecy; in which Case the Proposits, or some of them shall take such as desire Audience into one of the withdrawing Rooms; And the Proposits are to give their minds, that this Academy be so governed, adorned, and preserved, as may be most attractive unto men of parts, and good Affections unto the Common-wealth, for the excellency of the Conversation.

Furthermore, If any man not being able or willing to come in Person, have any advice to give which he judgeth may be for the good of the Common-wealth, he may write his mind unto the Academy of the Proposits, in a Letter signed or not signed; which Letter shall be left with the Door-keeper of the Academy: Nor shall any Person delivering such a Letter be seized, molested, or detained, though it should prove to be a Libell: But the Letters so delivered shall be presented unto the Proposits; and in case they be so many that they cannot well be examined by the Proposits themselves, they shall distribute them as they please to be read by the Gentlemen of the Academy, who finding any thing in them materiall, will find matter of Discourse: Or if they happen upon a business that requires privacy return it with a note upon it unto a Proposit. And the Proposits by the Secretaries attending shall cause such notes out of Discourses or Letters to be taken as they please, to the end that they may propose as occasion serveth what any two of them shall think fit, out of their notes so taken unto their respective Councils: to the end that not only the Ear of the Common-wealth be open unto all, but that men of such Education being in her Eye, She may upon emergent Elections or occasions, be alwaies provided of her Choice of fit Persons.

Every Council being adorned with a State for the Signory, shall be attended by two Secretaries, two Door-keepers, and two Messengers in ordinary, and have Power to Command more upon emergencies, as occasion requirerh. And the Academy shall be attended with two Secretaries, two Messengers, and two Door-keepers; this with the other Councils being provided with their farther Conveniences at the charge of the State.

For the Attendance of the Councils.

But whereas it is incident unto Common-wealths upon Emergences, requiring extraordinary speed, or secrecy, either through Dictatorship

For the Dictatorship

their natural delays, or unnatural haste to incur equal danger. While holding unto the slow pace of their Orders they come not in time to defend themselves from some sudden blow; or breaking them for the greater speed, they but haste unto their own Destruction: If the Senate shall at any time make Election of nine Knights extraordinary to be added unto the Council of War, as a Junta for the term of three months. The Council of War, with the Junta so added, is for the term of the same; Dictator of Oceana having power to levy men and money to make War and Peace, as also to enact Lawes, which shall be good for the space of one year, (if they be not sooner repealed by the Senate and the People) and for no longer time, except they be confirmed by the Senate and the People. And the whole Administration of the Common-wealth for the term of the said three Months shall be in the Dictator; Provided, that the Dictator shall have no power to do any thing that tendeth not unto his proper end and institution: but all unto the Preservation of the Common-wealth as it is established; And, for the sudden restitution of the same unto the natural channel, and common course of Government. And all Acts, Orders, Decrees or Lawes of the Council of War with the Junta, being thus created, shall be signed,

Dictator Oceana.

This Order of Instructions unto the Councils, being (as in a matter of that nature is requisite) very large, I have used my best skill to abbreviate, in such manner as might shew no more of it then is necessary unto the understanding of the whole; though as to the parts, or further duties of the Councils; I have omitted many things of singular use in a Commonwealth. But it was spoken to at the Council by the *Archon* in this manner:

My

My Lords, the Legislators,

Your Councils (except the Dictator only) are proper and native Springs and Sources you see, which (hanging a few sticks and straws, that, as lesse considerable, would otherwise be more troublesome, upon the banks of their peculiar channels) derive the full stream of businesse into the Senate, so pure, and so far from the possibility of being troubled, or steined (as will undeniably appear by the Course contained in the ensuing Order) with any kind of private interest or partiality, that it shall never be possible for any Assemblie hearkening unto the advice or information of this or that worthy Member, either instructed upon his Pillow, or while he was making himself ready, or by the Petition or Ticket which he received at the Door; to have half the Security in his Faith, or advantage by his Wisdome: Such a Senate, or Council being through the incertainty of the Winds, like a wave of the Sea; nor shall it otherwise mend the matter by flowing up into dry ditches, or referring Busineses to be better examined by Committees, then to go farther about

about with it to lesse purpose ; if it do not ebb back again with the more mudd in it. For in a Case referred to an occasionall Committee, of which any Member that is desirous may get himself named, and to which nobody will come, but either for the sake of his Friend, or his own Interest ; It fareth little better as to the Information of the Senate, then if it had been referred unto the Parties. Wherefore the Athenians being distributed into four Tribes, out of which by equall numbers they Annually chose Four hundred men, called the Senate of the Bean, (because the ballot at their Election was performed by the use of Beans) divided them by Fifties, into eight parts. And every Fifty in their turn ; for one eight part of the year was a Council apart called the Prytans : the Prytans in their distinct Council receiving all Commers, and giving ear unto every Man that had any thing to propose concerning the Common-wealth, had power to debate and prepare all the Businessses that were to be introduced into the Senate. The Achæans had ten selected Magistrates called the Demiurgs, constituting a Council apart called the Synarchy, which with the Strategus prepared
all

all the Business that was introduced into their Senate: But neither the Senate of the Athenians, nor of the Achæans, but would have wondred if a man should have told them, that they had been to receive all Comers, and Discourses to the end that they might refer them afterwards unto the Prytans or the Sy-narchy: much lesse unto an occasionall Committee, exposed unto the catch that catch may, of the parties interested. And yet Venice in this (as in most of her Orders,) excells them all by the constitution of her Councils, that of the Colledge, and the other of the Dieci. The course of the Colledge is exactly described in the ensuing Order: And for that of the Dieci it so little differs from what it hath bestowed upon our Dictator, that I need not to make any particular description of it. But to Dictatorian power in general, and the use of it, because it must needs be of difficult digestion unto such as, peering still at ancient Prudence, shew themselves to be in the Nursery of Mother-wit; it is no less then necessary to say something. And first, in a Common-wealth that is not wrought up, nor perfected, this Power will be of very frequent, if not continual use; Where-

Livy.

Wherefore it is said more then once upon defects of the Government in the Book of Judges, That, in those dayes there was no King in Israel; Nor bath the Translator (though for no King, he should have said no Judge) abused you so much; seeing that the Dictator, (and such was the Judge of Israel) or the Dictatorian Power being in a single Person, so little differs from Monarchy, which followed in that, that from the same cause there hath been no other effect in any Common-wealth, as in Rome was manifest by Scylla and Cæsar, who to make themselves Absolute or Soveraign, had no more to do, then to prolong their Magistracy; for Dictatoris imperium quasi Numen. Nevertheless, so it is, that without this Power which is so dangerous, and subject to introduce Monarchy, a Common-wealth cannot be safe from falling into the like Dissolution; For unless you have an Expedient in this Case of your own, and bound up by your providence from recoyling; Expedients in some Cases you must not only have, but be beholdning for them unto such whom you must trust at a pinch, when you have not leisure to stand with them for Security; which will be a thousand

and times more dangerous. And there can never be a Common-wealth otherwise then by the Order in debate wrought up unto that perfection; but this necessity must sometimes happen in regard of her natural slownesse and opennesse, and the suddainess of Assaults that may be made upon her, as also the secrecie which in some cases may be of absolute necessity unto her affairs. Whence Machiavil concludes it positively, That a Commonwealth unprovided of such a Refuge, must ruine; for her course is either broken by the blow, in one of those cases; or by her self, while it startles her out of her Orders. And indeed a Common-wealth is like a Grey-hound, which having once coasted, will never after run fair, but grow sloathful; and when she comes to make a common practice of taking nearer wayes then her orders, she is dissolved; for the being of a Common-wealth consists in her Orders. Wherefore at this list, you will be exposed unto danger, if you have not provided before-hand for the safety of your resort in like cases: nor is it sufficient that your resort be safe, unless it be as secret, and quick; for if it be slow or open, your former inconveniences are not remedied. Now for our imitation

in this part, there is nothing in experience like that of the Council of Ten in Venice; the benefit whereof would be too long to be shewn in the whole Piece, and therefore I shall take but a pattern out of Janotti: In the War (saith he) which the Venetians had with Florence in Casentine, the Florentines finding a necessity in their affairs far from any other inclination in themselves to ask their Peace, sent Ambassadors about it unto Venice, where they were no sooner heard, then the bargain was struck up by the Council of Ten; and every body admiring (seeing this Common-wealth stood upon the higher ground) what should be the reason of such haste; the Council upon the return of the Ambassadors imparted Letters unto the Senate, whereby it appeared, that the Turk had newly launched a formidable Fleet against their State; which had it been known to the Florentines, it was well enough known they would have made no Peace: Wherefore the service of the Ten was highly applauded by the Senate, and celebrated by the Venetians. Whereby may appear, not only in part what use there is of Dictatorian Power in that Government, but that it is assumed

sumed at the discretion of that Council ; Whereas in this of Oceana it is no otherwise intrusted then when the Senate, in the Election of nine Knights extraordinary, giveth at once the Commission, and taketh security in a ballance added unto the Council of War, though securer before by the Tribunes of the People, then that of Venice; which yet never incurr'd Jealousie: For if the younger Nobility have been often girding at it, that happened not so much through the apprehension of danger in it unto the Commonwealth, as through the Awe of it upon themselves: Wherefore the Graver have doubtlesly shewn their Prudence in the Law: Whereby the Magistracy of these Counsellors being to last untill their Successours be created, the Council is established.

The Instructions of the Councils for their Subject matter being shewn, it remaineth that I shew the Instructions for the manner of their proceeding, as they follow in

The Twentieth Order, Containing the Method of Debate, to be observed by the Magistrates, and the Councils, successively, in order to a Decree of the Senate.

20. Ord.
Instructions
for the Coun-
cils as to
their Man-
ner of Pro-
ceeding.

The Magistrates of the Signory as Counsellors of this Commonwealth, shall take into their Consideration all matter of State, or of Government; and having right to propose in any Council. May any one or more of them propose what Business he or they please in that Council whereunto it most properly belongeth: And that the Councils may be held unto their duty, the said Magistrates are super-inten-

dents, and inspectors of the same, with right to propose unto the Senate.

The Censors have equall power with these Magistrates, but in relation unto the Council of Religion only.

Any two of the three Probosits in every Council may propose to, and are the more peculiar Proposers of, the same Council; to the end that there be not only an inspection and super-intendency of Business in general, but that every work be also committed unto a peculiar hand.

Any one or more of the Magistrates, or any two of the Probosits respectively having proposed; the Council shall debate the business so proposed, to which they of the third Region that are willing shall speak first in their order; they of the second, next; and they of the third, last; and the opinions of those that proposed or spoke as they shall be thought the most considerable by the Council, shall be taken by the Secretary of the same in writing, and each of them signed with the name of the Author.

The opinions being thus prepared, any Magistrate of the Signory, Censor, or any two of the Probosits of that Council, upon this occasion may assemble the Senate.

The Senate being assembled, the Opinions (for example, if they be four) shall be read in their Order, that is, according unto the order or dignity of the Magistrates or Counsellors by which they were signed. And being read, if any of the Council introducing them will speak; they as best acquainted with the Business, shall have precedence, and after them the Senators shall speak according unto their Regions, beginning by the third first, and so continuing till every man that will, have spoken: and when the opinions have been sufficiently debated, they shall be put altogether unto the Ballot after this manner.

Four Secretaries carrying each of them one of the opinions in one hand, with a white box in the other, and each following another, (according unto the order of the opinions) shall present his Box, naming the Author of his opinion unto every Senator; and one Secretary or Ballotine with a green Box shall follow the four white ones; and one Secretary of Ballotine with a red Box shall follow the green one: and every Senator shall put one Ball into some one of these six boxes. The Suffrage being gathered and opened before the Signory: If the red box or Dissenter had above half the Suffrages, the opinions shall be all cast out, for the Major part of the House is not clear in the business.

lineſſe. If no one of the four opinions had above half the Suffrages in the Affirmative, that which had feweſt ſhall be caſt out, and the other three ſhall be Ballotted again. If no one of the three had above half, that which had feweſt ſhall be caſt out, and the other two ſhall Ballotted again. If neither of the two had above half, that which had feweſt ſhall be caſt out, and the remaining opinion ſhall be Ballotted again. And if the remaining opinion have not above half, it ſhall alſo be caſt out. But the firſt of the opinions that arrives at moſt above half in the Affirmative is the Decree of the Senate. The opinions being all of them caſt out by the Pon-cincer, may be review'd (if occaſion permit) by the Council, and brought in again. If they be caſt out by the Negative, the Caſe being of Advice only, the Houſe approveth not, and there is an end of it: the Caſe being neceſſary, and admitting delay, the Council is to think again upon the Buſineſſe, and to bring in new opinions; but the Caſe being neceſſary, and not admitting delay; the Senate forthwith electing the Juncti ſhall create the Dictator. (Et videat Dictator ne quid Re'p. detrimenti capiat.)

This in caſe the Debate conclude not in a Decree: but if a Decree be paſſed, it is either in matter of State, or Government according to Law enacted already, and then it is good without going any farther: or it is in matter of Law to be enacted, repealed, or amended; and then the Decree of the Senate, eſpecially if it be for a War, or for a Levy of Men or Money, is invalid, without the conſent of the Commonwealth, which is in the Prerogative Tribe, or Representative of the People.

The Senate having prepared a Decree to be propoſed unto the People, ſhall appoint their Propoſers: and no other may propoſe for the Senate unto the People but the Magiſtrates of the Houſe; that is to ſay, the three Commiſſioners of the Seal, or any two of them; the three of the Treafury, or any two of them; or the two Cenſors.

The Senate having appointed their Propoſers, ſhall require of the Tribunes a muſter of the People at a ſet time and place: and the Tribunes, or any two of them having muſter'd the People accordingly; the Propoſers ſhall propoſe the ſenſe or Decree of the Senate by Clauſes unto the People. And that which is propoſed by the Authority of the Senate, and reſolved by the Command of the People, is the Law of Oceana.

To this Order, implicitly containing the sum very near of the whole civil part of the Common-wealth : My Lord *Archon* spoke thus in Councill :

My Dear Lords,

THere is a saying, That a man must cut his Coat according to his Cloth. When I consider what God hath allow'd or furnished unto our present Work, I am amazed. You would have a Popular Government, He hath weighed it unto you in the present ballance as I may say to a dragme; you have no more to do, but to fix it. For the Superstructures of such a Government, they require a good *Aristocracy*; You have, or have had a Nobility or a Gentry the best studied, and the best Writers, at least next that of *Italy*, in the whole World; nor have they been inferiour when so exercised, in the leading of Armies. But the people are the main body of a Common-wealth; I shew me (*à Gadibus usq; Auroram et Gangem*) from the treasuries of Snow (as it is in *Job*) unto the burning Zone, a people whose shoulders so universally and so exactly fit the Corselet. Nevertheless it were convenient, to be well provided with Auxiliaries: There is *Marpesia* through her fruitfulness in inexhaustible, of men, and men through her barrenness not only inured unto hardship, but bucked in your Arms. It may be said that *Venice*, save only that she taketh not in the People, is the most incomparable Situation of a Common-wealth. You are *Venice* taking in your People and your Auxiliaries too. My Lords, the children of *Israel* were makers of brick, before they were builders of a Common-wealth: But our brick is made, our mortar temper'd, the Cedars of *Lebanon* are hew'd and squared unto our hands. Hath this been the work of man? or is it in man to withstand this work? *Shall he that contendeth with the Almighty instruct him? He that reproveth God, let him answer it.* For our parts, every thing is so laid, that when we come to have use of it, it is the next at hand; and unless we can conceive that God and Nature do any thing in vain, there is no
more

more for us to do, but to dispatch. The Piece which we have reached to us in the foregoing Orders, is the *Aristocracy. Athens*, as hath been shewn, was plainly lost through the want of a good Aristocracy: but the sufficiency of an Aristocracy goes demonstrably upon the hand of the Nobility or Gentry: for that the Politicks can be master'd without study, or that the people can have leisure to study, is a vain imagination; and what kind of *Aristocracy*, Divines and Lawyers would make; let their incurable run upon their own narrow bias; and their perpetuall invectives against *Machiavill* (though in some places justly reproveable, yet the only Polititian, and incomparable Patron of the people) serve for instruction. I will stand no more unto the Judgment of Lawyers and Divines in this work, then unto that of so many other Tradesmen; but if the Modell chance to wander abroad, I recommend it unto the *Roman Speculativi*, (*Garbatissimi Signori*) the most Compleat Gentleman of This Age; for their censure; or, with my Lord *Epimonus*'s his leave, send three or four hundred Copies unto the Agent at *Venice*, to be presented unto the Magistrates there; and when they have considered them, to be proposed unto the debate of the *Senate*, the most competent Judges under Heaven; who though they have great Affairs, will not refuse to return you the Oracle of their Ballot. The Counsellours of Princes I will not trust, they are but Journy-men. *The wisdom of these later times in Princes Affairs* (saith *Verulamius*) *is rather fine deliveries and shiftings off dangers when they be near; then solid and grounded courses to keep them aloof.* Their Counsellours do not derive their proceedings from any sound root of Government, that may contain the demonstration, and assure the successe of them, but are expedient-mongers, givers of themselves to help a lame dog over a stile; else how cometh it to passe, that the fame of Cardinal *Richelieu* hath been like thunder, whereof we hear the noise, but can make no demonstration of the reason? But to return, if neither the People, nor Divines and Lawyers can be the *Aristocracy* of a Nation, there remains only the *Nobility*; in which style,

to avoid farther repetition, I shall understand the *Gentry* also, as the *French* do by the word *Noblisse*.

Now to treat of the *Nobility*, in such sort as may be lesse obnoxious unto mistake; it will be convenient, and responsible unto the present occasion, that I divide my discourse into four Parts.

The first treating of Nobility, and the kinds of it.

The second, of their capacity of the Senate.

The third, of the divers kinds of Senates.

The fourth, of the Senate, according unto the foregoing Orders.

Nobility may be defined divers wayes, for it is either ancient riches, or ancient virtue, or title confer'd by a Prince or a Common-wealth.

Nobility of the first kind may be subdivided into two other, such as hold an over-balance in Dominion or Propriety unto the whole People: or such as hold not an over-balance. In the former Case a Nobility (such was the *Gothicks*, of which sufficient hath been spoken) is incompatible with popular Government; for unto popular Government it is essential, that power should be in the people, but the overbalance of a Nobility in Dominion, draweth the power unto themselves; wherefore in this sense it is that *Machiavill* is to be understood, where he saith, (*Questi tali sono perniciosi in ogni Republica, & in ogni Provincia*); that these are pernicious in a Common-wealth; and of *France*, *Spain*, and *Italy*, that they are Nations (*lequali tutte insieme sono la corruttela del mondo*) which for this cause are the corruption of the world: for otherwise

Nobility

Nobility may according unto his definition, which is; *That they are such as live upon their own revenues in plenty, without engagement either unto the tilling of their Lands, or other work for their livelihood*; hold an underballance unto the people: In which case they are not onely safe, but necessary unto the naturall mixture of a well-ordered Common-wealth. For how else can you have a Common-wealth that is not altogether Mechanick? or what comparison is there of such Common-wealths, as are or come nearest to Mechanick; for example, *Athens, Switz, Holland, unto Lacedemon, Rome, and Venice*, pluraed with their *Aristocracies*. Your mechanicks, till they have first feather'd their nests, like the Fowles of the Ayr, whose whole imployment is to seek their food, are so busied in their private concernments, that they have neither leisure to study the publick, nor are safely to be trusted with it, (*quia egestas haud facile habetur sine damno*) because a man is not faithfully imbarqued in this kind of ship, if he have no share in the freight. But if his share be such as gives him leisure by his private advantage, to reflect upon that of the Publick: what other name is there for this sort of men (being *a leur ayte*) but (as *Machiavill* you see calls them) Nobility? especially when their families come to be such as are noted, for their services done unto the Common-wealth, and so take into their ancient riches ancient virtue, which is the second definition of Nobility, but such an one as is scarce possible in nature without the former. For as the Baggage (saith *Verulamius*) is to an Army; so are riches to Virtue; they cannot be spared nor left behind, though they be impedimenta, such as not onely hinder the march, but sometimes through the care of them lose or disturb the Victory. Of this later sort is the Nobility of *Oceana*; the best of all other, because they having no stamp whence to derive their price, can have it no otherwise then by their intrinsic value. The third definition of Nobility, is Title, Honour, or Distinction from the people, conferr'd or allow'd by the Prince, or the Common-wealth; and this may be in two wayes, either without any stamp or priviledge as in *Oceana*, or with such priviledges as

are inconsiderable, as in *Athens* after the battel of *Platea*, whence the Nobility had no right, as such, but unto religious offices, or inspection of the publick games, whereunto they were also to be elected by the *people*: or with priviledges, and those considerable ones, as the *Nobility* in *Athens* before the battel of *Platea*, and the *Patricians* in *Rome*, each of which had right, or claimed it, unto the Senate and all the Magistracies; wherein for some time they only by their stamp were current.

But to begin higher, and speak more at large of Nobility in their severall capacities of the Senate; (*a Jove Principium*) The Phylarchs or Princes of the Tribes of *Israel*, were the most renowned; or, as the Latine, the most noble of the Congregation, (*Numb. 1. 16.*) whereof by hereditary right they had the leading, and judging. The Patriarchs or Princes of Families according as they declared their pedigrees, (*Numb. 1. 18.*) had the like right as to their Families; but neither in these nor the former was there any hereditary right unto the *Sanhedrim*; though there be little question but the wise men, and understanding and known among their Tribes which the people took or elected into these or other Magistracies, and *Moses* made Rulers over them, (*Deut. 1. 13.*) must have been of these, seeing these could not choose but be the most known among the Tribes, and were likeliest by the advantages of education to be the most wise and understanding.

Solon having found the *Athenians* neither Locally nor Genealogically, but by their different wayes of life, divided into four Tribes, that is, into the Souldiery, the Tradesmen, the Husbandmen, and the Goat-herds, instituted a new distribution of them, according unto the *Cense* or valuation of their Estates into four Classes; the first, second, and third consisting of such as were Proprietors in Land, distinguished by the rate of their free-holds, with that stamp upon them, which making them capable of honour unto their riches, that is to say, of the Senate and all the Magistracies, excluded the fourth, being the body of the people, and far greater in number then the

the former three, from other right as to those capacities, then the election of these, who by this means became an hereditary *Aristocracy* or *Senatorial* Order of Nobility. This was that course which came afterwards to be the destruction of *Rome*, and had now ruin'd *Athens*; the Nobility, according to the inevitable nature of such an one, having laid the plot how to divert the people of the result, and so to draw the whole power of the Common-wealth unto themselves; which in all likelihood they had done: if the people, coming by meer chance to be victorious in the battel of *Platea*, and famous for defending *Greece* against the *Persian*, had not returned with such courage, as irresistibly brake the Classes, unto which of old they had born a white tooth, brought the Nobility unto equall terms, and the Senate with the Magistracies to be common unto both; the Magistracies by Suffrage, and the Senate which was the mischief of it, as I shall shew anon in that constitution, by lot only.

The *Lacedemonians* were in the manner, and for the same cause with the *Venetians* at this day, no other than Nobility, even according to the definition given of Nobility by *Machiavill*; for they neither exercised any Trade, nor labour'd their Lands or Lots, which was done by their Helots; wherefore some Nobility may be far from pernicious in a Common-wealth, by *Machiavill's* own testimony, who is an admirer of this; though the servants thereof were more then the Citizens. To these servants, I hold the answer of *Lycurgus*, when he bad him who asked, why he did not admit the people unto the Government of his Common-wealth, go home and admit his servants unto the government of his Family, to relate; for neither were the *Lacedemonians* servants, nor farther capable of the Government, unlesse, whereas the Congregation had the result, he should have given them the debate also; every one of these that attained unto sixty years of age, and the major vote of the Congregation, being equally capable of the Senate.

The Nobility of Rome and their capacity of the Senate, I have already described by that of *Athens*, before the battaile of *Platea*, save only that the Athenian was never eligible into the Senate without the suffrage of the people, till the introduction of the lot, but the Roman Nobility ever; for the *patricians* were elected into the Senate by the Kings, by the Consuls, or the Censors; or if a plebeian happened to be conscribed, he and his posterity became patrician: nor, though the people had many disputes with the Nobility, did this ever come in controversy, which if there had been nothing else might in my judgment have been enough to overturne that Commonwealth.

The *Venetian* Nobility, but that they are richer, and not military, resemble at all other points the *Lacedemonian*, as I have already shewn; these, *Machiavill* excepts from his rule, by saying, that their Estates are rather personal then real, or of any great revenue in Land: which comes unto our account, and shews, that a Nobility or party of the Nobility not overballancing in *Dominion*, is not dangerous, but of necessary use in every Common-wealth, provided that it be rightly ordered; for if it be so ordered as was that of *Rome*, though they do not overballance in the beginning, as they did not there, it will not be long ere they do, as is clear both in reason, and that experience towards the later end. That the Nobility be capable of the Senate, is there only not dangerous, where there be no other Citizens; as in this Government, and that of *Lacedemon*.

The Nobility of *Holland* and *Switz* though but few, have priviledges not only distinct from the people, but so great, that in some Sovereignties they have a Negative voice; an example which I am far from commending, being such as if those Governments were not Cantönized, divided and subdivided into many petty Sovereignties that ballance one another, and in which the Nobility except they had a Prince at the head of them, can never joyn to make work, would be the most dangerous

gerous that ever was; but the *Gothick*, of which it savours. For in ancient Common-wealths you shall never find a *Nobility* to have had a negative but by the pole, which, the people being far more in number, came to nothing; whereas these have it, be they never so few, by their stamp or order.

Ours of *Oceana*, have nothing else but their education and their leisure for the publick, furnished by their ease and competent riches; and their intrinsic value, which according as it comes to hold weight in the Judgment or Suffrage of the People, is their only way unto honour and preferment; wherefore I would have your Lordships to look upon your Children as such, who if they come to shake off some part of their baggage, shall make the more quick and glorious march: for it was nothing else but the baggage sordidly plunder'd by the Nobility of *Rome*, that lost the victory of the whole World in the midst of her Triumph.

Having follow'd the Nobility thus close, they bring us, according unto their natural course and divers kinds, unto the divers Constitutions of the Senate.

That of *Israel* (as was shew'd by my right noble Lord *Phosphorus de Auge* in the opening of the Common-wealth) consisted of seventy Elders, elected at the first by the people; but whereas they were for life, they ever after (though without any Divine precept for it) substituted their Successours by Ordination, which ceremony was most usually performed by imposition of hands, and by this means a Common-wealth of as popular institution as can be found, became, as it is accounted by *Josephus*, Aristocratical. From this ordination, deriveth that which was introduced by the Apostles into the Christian Church; for which cause I think it is, that the *Presbyterians* would have the Government of the Church to be *Aristocraticall*; albeit the Apostles, to the end, as I conceive, that they might give no occasion unto such a mistake, but shew, that they intended the Government of the Church to be popular, *Ordained Elders* (as hath been shewn) by the hold-

ing up of hands (or free Suffrage of the people) in every Congregation, or Ecclesia; for that is the word in the Original, being borrow'd from the civil Congregations of the people in Athens and Lacedemon, which were so called; and the word for bolding up of hands in the Text, is also the very same, which signified the Suffrage of the people in Athens, *χεροτονουντες*; and the Suffrage of the Athenians was given per *χεροτονίαν*, saith *Emmius*.

The Council of the Bean (as was shewn by my Lord *Navarchus de Paralo*, in his full discourse) being the proposing Senate of Athens (for that of the *Areopagites* was a Judicatory) consisted of four, some say five hundred Senators, elected annually, all at once, and by a meer lot without suffrage; wherefore albeit the Senate, to correct the temerity of the lot, had power to cast out such as they should judge unworthy of that honour; this related to manners only, and was not sufficient to repair the Common-wealth, which by such means became impotent; and for as much as her Senate consisted not of the natural Aristocracy, which in a Common-wealth is the onely spur and rein of the people, was cast headlong by the rashness of her Demagogs or Grandees into ruine; while her Senate, like the Roman Tribunes, (*qui ferè semper regebantur à multitudine magis quam regebant*) proposed not unto the Result only, but unto the Debate also of the people, who were therefore called unto the Pulpits, where some vomited, and others drunk poison.

Lily.

The Senate of Lacedemon (most truly discover'd by my Lord *Laco de Scytale*) consisted but of 30 for life, whereof the two Kings having but single votes, were hereditary, the rest elective by the free Suffrage of the people, but out of such as were sixty years of age; these had the whole debate of the Common-wealth in themselves, and proposed unto the result only of the people: and now the riddle which I have heretofore found troublesome to unfold, is out; that is to say, why Athens and Lacedemon consisting each of the Senate and the People, the one should be held a Democracy, and the other an

Aristocracy,

Aristocracy, or laudable *Oligarchy*, as it is termed by *Isocrates*; (for that word is not, where ever you meet it, to be branded, seeing it is used also by *Aristotle*, *Plutarch*, and others, sometimes in a good sense) The main difference was, that the people in this had the result only, and in that the debate and result too. But for my part, where the people have the election of the Senate, not bound unto a distinct order, and the result which is the Sovereign power, I hold them to have that share in the Government, (the *Senate* being not for life) whereof, with the safety of the Common-wealth, they are capable in nature, and such a Government for that cause to be *Democracy*; though I do not deny, but in *Lacedemon* the paucity of the Senators considered, it might be called *Oligarchy*, in comparison of *Athens*; or, if we look upon their continuance for life, though they had been more, *Aristocracy*.

The *Senate* of *Rome* (whose fame hath been heard to thunder in the Eloquence of my Lord *Stolo de Enyo*) consisting of 300, was in regard of the number, lesse *Oligarchicall* then that of *Lacedemon*, but more in regard of the *Patrician*, who having an hereditary capacity of the same were not elected unto that honour by the people: but being Conscribed by the Censors, enjoy'd it for life: wherefore these if they had had their wills, would have resolv'd as well as debated; which set the people at such variance with them, as dissolv'd the Common-wealth: whereas if the people had enjoy'd the result, as well that about the *Agrarian*, as all other strife, must of necessity have ceased.

The *Senates* of *Switzs* and *Holland* (as I have learnt of my Lords *Alpester*, and *Glaucus*) being bound up, like the sheaf of Arrowes which this gives, by leagues, lie like those in their quivers; But Arrowes when they come to be drawn, fly some this way, and some that: and I am contented that these concern us not.

That of *Venice* (by the faithful testimony of my most excellent

lent Lord *Linceus de Stella*) hath obliged a world, sufficiently punisht by its own blindness or ingratitude, to repent and be wiser : for whereas a *Common-wealth* in which there is no Senate, or where the Senate is corrupt, cannot stand : the Great Council of *Venice* like the *Statua* of *Nilus*, leans upon an Urn or Water-pot, which poureth forth the Senate in so pure and perpetual a stream, as being unable to instagnate, is forever incapable of corruption. The fuller description of this Senate is contained in that of *Oceana* ; and that of *Oceana* in the foregoing Orders. Unto every one of which, because something hath been already said, I shall not speak in particular. But in general, your *Senate* (and the other Assembly, or the Prerogative, as I shall shew in due place) are perpetuall, not as Lakes or Puddles, but as the Rivers of *Eden* ; and are beds made, as you have seen, to receive the whole people, by a due and faithful Vicissitude into their current. They are not, as in the later way, alternate. Alternate life in Government, is the alternate death of it.

Ut fratrem Pollux alternâ morte redemit.

This was the *Gothick* Work, whereby the former Government was not only a ship, but a gulf too ; could never open her sailes, but in danger to overset her self : neither make any Voyage, nor lye safe in her own Harbour. The Wars of later Ages (saith *Verulamius*) seem to be made in the dark, in respect of the glory and honour, which reflected upon men from the Wars in ancient times. Their shipping of this sort was for Voyages, ours dare not launch : nor lye they safe at home. Your *Gothick* Politicians seem unto me rather to have invented some new ammunition, or Gunpowder, in their King and Parliament (*duo fulmina belli*) then Government. For what is become of the Princes (a kind of people) in *Germany* ? blown up. Where are the Estates, or the Power of the people in *France* ? blown up. Where is that of the people in *Aragon*, and the rest of the *Spanish* Kingdoms ? blown up. On the
other

other side, where is the King of *Spain's* power in *Holland* blown up. Where is that of the *Austrian* Princes in *Switz* blown up. This perpetual peevishness and jealousy, under the alternate Empire of the Prince and of the People, is obnoxious unto every Spark. Nor shall any man shew a reason that will be holding in prudence, why the people of *Oceana* have blown up their King, but that their Kings did not first blow up them: The rest is discourse for Ladies. Wherefore your Parliaments are not henceforth to come out of the bag of *Æolus*, but by the *Gallaxy's*, to be the perpetual food of the fire of *Vesta*.

Your Gallaxy's which divide the House into so many Regions are three, one of which constituting the third region is annually chosen, but for the term of three years; which causeth the house having blooms, fruit half ripe, and others dropping off in full maturity, to resemble an Orange-Tree: such as is at the same time an education or spring, and an harvest too; for the people have made a very ill choice in the man, who is not easily capable of the perfect knowledge in one year of the Senatorian Orders; which knowledge allowing him for the first to have been a Novice, brings him the second year unto practice, and time enough; for at this rate you must alwaies have two hundred knowing men in the Government: and thus the vicissitude of your Senators is not perceivable in the steadiness and perpetuity of your Senate, which, like that of *Venice*, being alwaies changing, is for ever the same: and though other Politicians have not so well imitated their pattern, there is nothing more obvious in nature, seeing a man who wears the same flesh but a short time, is nevertheless the same man, and of the same Genius; and whence is this but from the constancy of nature in holding a man unto her Orders? Wherefore hold also unto your Orders; but this is a mean request, your Orders will be worth little, if they do not hold you unto them: wherefore imbarque. They are like a ship, if you be once aboard, you do not carry them, but they you;

and see how *Venice* stands unto her tacklin, you will no more forsake them, then you will leap into the Sea.

But they are very many, and difficult. O my Lords, what Seaman casts away his Carde because it hath four and twenty points of Compasse? and yet those are very near as many, and as difficult as the Orders in the whole Circumference of your Common-wealth. Consider; how have we been tossed with every wind of Doctrine, lost by the glib tongues of your Demagogues and Grandees in our own Havens? A Company of Fiddlers that have disturbed your rest for your groat; two to one, three thousand pounds a year to another, hath been nothing: and for what? is there one of them that yet knowes what a Common-wealth is? And are you yet afraid of such a Government in which these shall not dare to scrape, for fear of the Statute? *Themistocles* could not fiddle, but could make of a small City a great Common-wealth: these have fiddled, and for your money, till they have brought a great Common-wealth to a small City.

It grieves me, while I consider how, and from what causes, imaginary difficulties will be aggravated, that the foregoing Orders are not capable of any greater clearnesse in discourse or writing: But if a man should make a book, describing every trick or passage, it would fare no otherwise with a game at Cards; and this is no more, if a man play upon the square. *There is a great difference (saith Verulamius) between a cunning man and a wise man, (between a Demagog and a Legislator) not onely in point of honesty, but in point of ability: As there be that can pack the Cards, and yet cannot play well; so there be some that are good in canvasses and factions, that are otherwise weak men. Allow me but these Orders, and let them come with their Cards in their sleeves, or pack if they can. Again, (saith he) it is one thing to understand persons, and another to understand matters; for many are perfect in mens humours, that are not greatly capable of the reall part of businesse: which is the constitution of one that hath studied men, more then books: but there is nothing more*
hurtful

hurisfull in a State, than that cunning men passe for wise. His words are an Oracle: As *Dionysius*, when he could no longer exercise his tyranny among men, turned School-master, that he might exercise it among boyes: Allow me but these Orders, and your Grandees so well skilled in the baits and palates of men, shall turn Rat-catchers.

And whereas *Councils* (as is discreetly observed by the same Authour in his time) are at this day, in most places but familiar meetings, (somewhat like the Academy of Provosts) where matters are rather talked on then debated; and run too swift to order an Act of Council: Give me my Orders, and see if I have not trashed your Demagoggs.

It is not so much my desire to return upon haunts, as theirs that will not be satisfied; wherefore if notwithstanding what was said of dividing and choosing in our Preliminary discourses, men will yet be returning unto the question, Why the Senate must be a Council apart; though even in *Athens*, where it was of no other constitution then the Popular Assembly, the distinction of it, from the other, was never held lesse then necessary: this may be added unto the former reasons, that if the *Aristocracy* be not for the Debate, it is for nothing; but if it be for the Debate, it must have convenience for it: and what convenience is there for debate in a crowd, where there is nothing but jostling, treading upon one another, and stirring of blood, than which in this case there is nothing more dangerous? Truly, it was not ill said of my Lord *Epimorus*, That *Venice* playes her Game as it were at billiards or nine-holes; and so may your Lordships, unlesse your ribs be so strong, that you think better of football; for such sport is debate in a Popular Assembly, as, notwithstanding the distinction of the Senate, was the destruction of *Athens*.

This *Speech* concluded the Debate which happened at the Institution of the Senate: the next Assembly is that of the People, or Prerogative Tribe.

The Face, or name of the Prerogative Tribe for the Arms, The Face of the Horses, and the Discipline, but more especially for the se- the Prerogative Tribe.

left Men, is that of a very noble Regiment, or rather of two; the One of Horse, divided into three Troops, (besides that of the Provinces, which will be shewn hereafter) with their Captains, Cornets, and two Tribunes of the Horse at the head of them. The other of Foot in three Companies (besides that of the Provinces) with their Captains, Ensigns, and two Tribunes of the Foot at the head of them. The first Troop is called the *Phoenix*; the second the *Pelican*; and the third the *Swallow*. The first Company the *Cypresse*; the second, the *Myrtle*; and the third the *Spray*. Of these again, (not without a near resemblance of the *Roman* Division of a Tribe) the *Phoenix* and the *Cypresse* constitute the first Classis; the *Pelican* and the *Myrtle*, the second; and the *Swallow* with the *Spray* the third, renewed every Spring by

21. Ord.
The change,
or Election of
the Triennial Officers
of the Prerogative.

The One and Twentieth Order, Directing, that upon every Monday next ensuing the last of March, the Deputies of the annual Calvary arriving at the Pavilion in the Halo, and electing one Captain and one Cornet of the Swallow (Triennial Officers) by and out of the Cavalry at the Horse Urn, according unto the Rules contained in the Ballot of the Hundred: And one Captain with one Ensign of the Spray (Triennial Officers) by and out of the Infantry at the Foot Urn, after the same way of balloting: Constitute and become the third Classis of the Prerogative Tribe.

Seven Deputies are annually returned by every Tribe; whereof three are Horse, and four are Foot; and there be fifty Tribes, so the *Swallow* must consist of 150 Horse, the *Spray* of 200 Foot; and the rest of the Classes being two, each of them in number equal; the whole Prerogative (besides the Provinces, that is, the Knights and Deputies of *Marpesia* and *Panopea*;) must consist of 1050 Deputies. It is right. And these Troops and Companies may as well be called Centuries as those of the *Romans*, for the *Romans* related not, in so naming theirs, unto the number: And whereas they were distributed according unto the valuation of their Estates, so are these; which by virtue of the last Order, are now accommodated with their Triennial Officers; but there be others appertaining unto this Tribe, whose Election being of far greater Importance is Annual, as followeth in

22. Ord.
The Change,
or Election of
the Annual
Magistrates
of the Prerogative.

The Twenty second Order; Whereby the first Classis having Elected their Triennial Officers, and made Oath unto the Old Tribunes, That they will neither introduce, cause, nor to their power suffer debate to be introduced into any popular Assembly of this Government,

vernment, but to their utmost be ayding and assisting to seize and deliver any Person or Persons in that way offending and striking at the Root of this Common-wealth unto the Council of War; are to proceed with the other two Classes of the Prerogative Tribe to Election of the New Tribunes, being four Annual Magistrates, whereof two are to be elected out of the Cavalry at the Horse-War, and two out of the Infantery at the Foot-War, according unto the Common ballot of the Tribes: And they may be promiscuously Chosen out of any Classis, provided that the same Person shall not be capable of bearing the Tribunitian Honour twice in the term of one Gallary. The Tribunes thus chosen shall receive the Tribe (in reference to the power of Mustering and Disciplining the same) as Commanders in Chief: and for the rest as Magistrates, whose proper function is prescribed by the next Order. The Tribunes may give leave unto any number of the Prerogative not exceeding one hundred at a time, to be absent, so they be not Magistrates, nor Officers, and return within three moneths; If a Magistrate or Officer, have necessary occasion, he may also be absent for the space of one moneth; provided, that there be not above three Cornets or Ensigns, two Captains or one Tribune so absent at one time.

To this the *Archon* spoke at the Institution, after this manner:

My Lords,

If is affirmed by *Cicero* in his Oration for *Flaccus*, That the Common-wealths of *Greece* were all shaken or ruined by the intemperance of their *Comitia*, or Assemblies of the People. The truth is, if good heed in this point be not taken; a *Common-wealth* will have bad Leggs. But all the World knowes he should have excepted *Lacedemon*, where the People (as hath been shewn by the *Oracle*) had no power at all of Debate, nor (till after *Lyfander*, whose Avarice opened a Gulph, that was not long ere it swallowed up his Country) came it ever to be exercised by them: Whence that Common-wealth stood longest and firmest of any other, but this, in our dayes; of *Venice*; which having underlaid her Self with the like Institution

stitution, owes a great, if not the greatest part of her steadiness unto the same principle; the great Council, which is with her the People, by the Authority of my Lord *Epimorus*, never speaking a word. Nor shall any Common-wealth where the People in their political capacity is talkative, ever see half the dayes of one of these: But being carried away by Vain-glorious Men (that, as *Overbury* sayes, Pisse more then they drink) Swim down the sink; as did *Athens*, the most prating of these *Dames*, when that same ranting fellow *Alciades* fell on Demagoging for the *Sicilian* War. But whereas Debate by the Authority and experience of *Lacedemon* and *Venice*, is not to be committed unto the People in a well ordered Government; It may be said, That the Order specify'd is but a slight barre in a matter of like danger; For so much as an Oath, if there be no recourse upon the breach of it, is a weak tye for such hands as have the Sword in them: Wherefore what should hinder the People of *Oceana* if they happen not to regard an Oath, from assuming Debate, and making themselves as much an *Anarchy* as those of *Athens*? To which I answer, Take the Common sort in a private Capacity, and except they be injured, you shall find them to have (*Verecundiam Patrum*) a bashfulness in the presence of the better sort, or wiser Men; acknowledging their abilities by attention; and accounting it no mean Honour to receive respect from them. But if they be injured by them, they hate them, and the more for being wise, or great, because that makes it the greater injury. Nor refrain they in this Case from any kind of intemperance of speech, if of Action. It is no otherwise with a People in their political Capacity; You shall never find that they have assum'd Debate for it self, but for something else: Wherefore in *Lacedemon* where there was, and in *Venice* where there is, nothing else for which they should assume it, they have never shewn, so much as an inclination to it. Nor was there any appearance of such a desire in the People of *Rome*, (who from the time of *Romulus* had been very well

well contented with the Power of Result either *Comitiis Curiatibus*, as it was settled upon them by him; or *Centuriatis*, as it was alter'd in their regard for the worse by *Servius Tullius* till news was brought some fifteen years after the exile of *Tarquinius* their late King (during which time, the Senate had governed passing well) that he was dead at the Court of *Aristodemus* the Tyrant of *Cumæ*. (*Eo nuncio erecti patres, erecta Plebs. Sed Liv. l. 2. Patribus nimis luxuriosa ea fuit letitia: Plebi, cui ad eam diem summâ ope inservitum erat, injuria à Primoribus fieri cœpê, e*) Whereupon the *Patricians*, or Nobility began to let out the hitherto dissembled Venom, which is inherent in the root of *Oligarchy*; and fell immediately upon injuring the People beyond all moderation: For whereas the People had served both gallantly and contentedly in Arms, upon their own Charges, and though joynt Purchasers by their Swords of the conquer'd Lands, had not participated in the same, to above two Acres a man, the rest being secretly usurped by the *Patricians*: they through the meannesse of their support, and the greatnesse of their expence, being generally indebted, no sooner returned home with Victory to lay down their Arms, then they were snatcht up by their Creditors the Nobility, to cram Goales: Whereupon (but with the greatest modesty that was ever known in the like case) they first fell upon debate (*Se foris pro libertate & imperio dimicantes, domi à civibus captos & oppressos esse: tutioremq; in bello quam in pace, inter hostes quam inter cives, libertatem plebis esse*): It is true, that when they could not get the Senate (through fear, as was pretended by the *Patricians*) to assemble and take their grievances into Consideration, they grew so much warmer, that it was glad to meet: Where *Ap. Claudius*, a fierce Spirit, was of opinion, That recourse should be had unto Consular power, whereby some of the brands of Sedition being taken off, the flame might be extinguisht: *Servilius* being of another temper, thought it better and safer to try if the People might be bow'd, than broken. But this debate was interrupted by tumultuous news of the near approach

approach of the *Volsci*, a case in which the Senate had no recourse but to the People, who contrary unto their former custom upon like occasions would not stir afoot, but fell on laughing, and saying, (*Patres militarent patres arma caperent, ut penes eosdem pericula belli, penes quos præmia, essent*) Let them fight that have something to fight for. The Senate that had purfes, and could not sing so well before the Thief, being in great perplexity, found no possible way out of it, but to beseech *Servilius*, one of a Genius well known to be Popular, That he would accept of the Consulship, and make some such use of it as might be helpful to the *Patrician* interest. *Servilius* accepting of the offer, and making use of his Interest with the people, perswaded them to hope well of the good intention of the Fathers, whom it would little beseem to be forced unto those things which would lose their Grace, and that in view of the enemy, if they came not freely; and withall published an Edict, That no man should with-hold a Citizen of *Rome* by Imprisonment from giving his Name (for that was the way, as I shall have opportunity hereafter to shew more at large, whereby they drew out their Armies) nor seize, nor sell any Mans Goods or Children that was in the Camp; Whereupon the people with a mighty Concourse immediately took Arms, marched forth, and (which to them was as easie as to be put into the humour, and that as appears in this place was not hard) totally defeated the *Volsci* first, then the *Sabines*, (for the neighbour Nations, hoping to have had a good bargain of the Discord in *Rome* were up on all sides) and after the *Sabines*, the *Aurunci*. Whence returning victorious in three Battels, they expected no lesse then that the Senate would have made good their Words. When *Appius Claudius* the other Consul of his innate Pride, and that he might frustrate the faith of his Colleague, caused the Souldiers (who being set at liberty had behaved themselves with such valour) to be restored at their return unto their Creditors, and their *Gaoles*. Great resort upon this was made by the People unto *Servilius*, shewing him their Wounds, calling him to wit-
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witnesse how they had behaved themselves, and minding him of his promise. Poor *Servilius* was sorry, but so over-aw'd with the headinesse of his Collegue, and the obstinacy of the whole faction of the Nobility; that not daring to do any thing either way, he lost both Parties: the Fathers conceiving that he was Ambitious, and the People that he was False: while the Consul *Claudius* continuing to countenance such as daily seized and imprisoned some of the indebted People, had still new, and dangerous Controversies with them, insomuch that the Common-wealth was torn with horrid Division, and the People (because they found it not so safe, or so effectual in Publique) minded nothing but laying their heads together in private Conventicles. For this *A. Virginus*, and *Titus Vetusius* the new Consuls were reprov'd by the Senate as slothfull, and upbraided with the Virtue of *Ap. Claudius*. Whereupon the Consuls having desired the *Senate*, that they might know their pleasure, shewed afterwards their readinesse to obey it, by summoning the People according unto command, and requiring Names whereby to draw forth an Army for diversion, but no man would answer. Report hereof being made unto the *Senate*, the younger sort of the Fathers grew so hot with the Consuls, that they desired them to abdicate the Magistracy, which they had not the courage to defend.

The Consuls, though they conceived themselves to be roughly handled, made this soft Answer: *Fathers Conscript*, that you may please to take notice it was foretold, some horrid Sedition is at hand: We shall onely desire, that they whose valour in this place is so great, may stand by us to see how we behave our Selves, and then be as resolute in your Commands as you Will: Your Fatherhoods may know if we be wanting in the performance.

At this, some of the hot bloods returned with the Consuls unto the Tribunal, before which the People were yet standing, and the Consuls having generally required Names, in vain, (to put it unto something) required the name of one that was in their eye particularly; on whom, when he moved not,

they commanded a *Lictor* to lay hands; but the People thronging about the party summon'd, forbade the *Lictor* who durst not touch him; at which the Hot-spurs that came with the Consuls, enraged by the affront, descended from the Throne to the ayd of the *Lictor*; from whom in so doing they turned the indignation of the People upon themselves with such heat, that the Consuls interposing, thought fit by remitting the Assembly, to appease the Tumult; in which neverthelesse there had been nothing but noise. Nor was there lesse in the Senate, being suddainly rally'd upon this occasion, where they that received the Repulse, with others, whose heads were as addle as their own, fell upon the businesse as if it had been to be determined by Clamour, till the Consuls, upbraiding the Senate, that it differ'd not from the Market-place, reduced the House unto Orders: And the Fathers having been consulted accordingly, there were three Opinions. *P. Virginus* conceived, that the Consideration to be had upon the matter in question, (or ayd of the indebted and imprison'd people) was not to be farther extended then unto such as had engaged upon the promise made by *Servilius*: *T. Larginus*, that it was no time to think it enough, if mens merits were acknowledged, while the whole People, sunk under the weight of their debts, could not emerge without some common ayd; which to restrain by putting some into a better Condition then others, would rather more inflame the Discord then extinguish it: *Ap. Claudius* (still upon the old haunt) would have it, That the People were rather wanton then fierce: It was not oppression that necessitated, but their Power that invited them unto these Freaks; the Empire of the Consuls since the Appeal unto the People (whereby a plebeian might ask his Fellowes if he were a Thief) being but a meere Scar-crow. Go to, (sayes he) Let us create the *Dictator*, from whom there is no appeal, and then let me see more of this Work; or him that shall forbid my *Lictor*. The advice of *Appius* was abhorr'd by many, and to introduce a general Recision of Debts with *Larginus*, was to violate

violate all Faith: That of *Virginus* as the most moderate would have past best, but that there were private Interests (that same bane of the Publique) which withstood it; So they concluded with *Appius*; who also had been *Dictator*, if the Consuls and some of the graver sort had not thought it altogether unseasonable, at a time when the *Volsci* and the *Sabins* were up again, to venture so far upon Alienation of the People; for which cause *Valerius*, being descended from the *Publicola's*, the most Popular Family, as also in his own person of a mild nature, was rather trusted with so rigid a Magistracy. Whence it happened, that the People, though they knew well enough against whom the *Dictator* was created, feared nothing from *Valerius*; But upon a new promise made to the same effect with that of *Servilius*, hoped better another time, and throwing away all Disputes, gave their Names roundly, went out, and (to be brief) came home again as Victorious as in the former Action, the *Dictator* entering the City in Triumph. Nevertheless when he came to presse the *Senate*, to make good his promise, and do something for the ease of the People, they regarded him no more as to that point then they had done *Servilius*. Whereupon the *Dictator*, in disdain to be made a stale, abdicated his Magistracy, and went home. Here then was a Victorious Army without a Captain, and a *Senate* pulling it by the beard in their Gowns. What is it (if You have read the Story, for there is not such another) that must follow? Can any Man imagine, that such only should be the opportunity upon which this People could run away! Alas, poor men, the *Aequi* and the *Volsci*, and the *Sabines* were nothing, but the Fathers invincible! There they sate some three hundred of them armed all in Robes, and thundring with their Tongues; no hopes in the earth to reduce them unto any tolerable Conditions: Wherefore, no thinking to abide long so near them; away marches the Army, and encamps in the Fields: This Retreat of the People is called the *Secession* of *Mount Aventine*, where they lodged, very sad at their Condi-

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tion, but not letting fall so much as a word of Murmur against the Fathers. The Senate by this time were great Lords, had the whole City unto themselves; but certain Neighbours were upon the way that might come to speak with them, not asking leave of the Porter. Wherefore their minds became troubled, and an Orator was posted unto the People to make as good Conditions with them as he could; but, whatever the terms were, to bring them home, & with all speed: And here it was covenanted between the Senate, and the People, That these should have the Magistrates of their own Election, called the *Tribunes*; upon which they returned.

To hold you no longer, the Senate having done this upon necessity, made frequent attempts to retract it again; while the Tribunes on the other side, to defend what they had gotten, instituted their *Tributa Comitia*, or Councill of the People; where they came in time, and as disputes increased, to make Lawes without the Authority of the Senate, called *Plebiscita*: Now to conclude in the Point at which I drive; such were the steps whereby the People of Rome came to assume Debate: nor is it in Art or Nature to debarre a People of the like effect, where there is the like cause: For *Romulus* having in the Election of his Senate squared out a Nobility for the support of a Throne, by making that of the *Patricians* a distinct and hereditary Order, planted the Common-wealth upon two contrary Interests, or Roots, which shooting forth in time produced two Common-wealths, the one *Oligarchical* in the Nobility, and the other a meer *Anarchy* of the People, which thenceforth caused a perpetual feud and enmity between the Senate and the People, even to death.

There is not a more noble, or usefull question in the Politics, then that which is started by *Machiavil*, Whether means were to be found whereby the Enmity that was between the Senate and the people of Rome, might have been removed. Nor is there any other in which we, or the present occasion, are so much concerned, particularly in relation unto this Author; For as much as his Judgment in the determination of the

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the question standing, our Common-wealth falleth. And he that will erect a Common-wealth against the Judgment of *Machiavill*, is obliged to give such reasons for his enterprize as must not go on begging. Wherefore to repeat the Polititian very honestly, but somewhat more briefly : He disputes thus ;

There be two sorts of Common-wealths, the one for Preservation, as Lacedemon and Venice. The other for Encrease, as Rome. *Mach. disc. B. I. C. 6.*

Lacedemon being governed by a King and a small Senate, could maintain itself a long time in that Condition, because the Inhabitants, being few, having put a bar upon the reception of Strangers, and living in strict observation of the Lawes of Lycurgus, which now had gotten reputation, and taken away all occasion of Tumults, might well continue long in Tranquillity: For the Lawes of Lycurgus introduced a greater equality in Estates, and a less equality in Honours ; whence there was equall Poverty, and the Plebeians were lesse Ambitious, because the Honours, or Magistracies of the City could extend but unto a few ; and were not communicable unto the People ; nor did the Nobility by using them ill, ever give them a desire to participate of the same: This proceeded from the Kings, whose Principality being placed in the midst of the Nobility, had no greater means whereby to support it self, then to shield the People from all Injury ; whence the People not fearing Empire, desired it not. And so all occasion of enmity between the Senate and the People was barr'd. But this union happened especially from two causes, the one, that the Inhabitants of Lacedemon being few, could be govern'd by the Few. The other, that not receiving Strangers into their Common-wealth, they did not corrupt it, nor increase it, unto such a Proportion as was not governable by the Few.

Venice hath not divided with her Plebeians, but all are called Gentlemen that be in administration of the Government ; for which Government She is more beholding unto Chance, then the Wisdome of her Law-makers ; For many retiring unto those Islands, where that City is now built from the inundations of Barbarians

rians that overwhelm'd the Roman Empire, when they were encreased unto such a number, that to live together it was necessary to have Lawes: They Ordained a form of Government, whereby assembling often in Council upon Affairs, and finding their number sufficient for Government, they put a barre upon all such as repairing afterwards unto their City should become Inhabitants, excluding them from participation of Power. whence they that were included in the Administration had right; and they that were excluded, coming afterwards, and being received upon no other Conditions to be Inhabitants, had no wrong, and therefore had no occasion; nor were they trusted with Arms, and therefore had no means to be tumultuous. wherefore this Commonwealth might very well maintain her Self in Tranquillity.

These things considered, it is plain, that the Roman Legislators to have introduced a quiet State, must have done one of these two things; Either shut out Strangers, as the Lacedemonians; Or, as the Venetians, not allow'd the People to bear Arms. But they did neither. By which means the People having power and encrease, were in perpetual Tumult. Nor is this to be helped in a Commonwealth for Increase, seeing if Rome had cut off the occasion of her Tumults, She must have cut off the means of her Increase, and by consequence of her Greatnesse.

wherefore let a Legislator consider with himself, whether he would make his Commonwealth for Preservation, in which Case She may be free from Tumults; or for Increase, in which case She must be infested with them.

If he make her for Preservation she may be quiet at home; but will be in danger abroad. First, because her foundation must be narrow, and therefore weak; as that of Lacedemon, which lay but upon 30000 Citizens; or that of Venice, which lyes but upon three Thousand. Secondly, such a Commonwealth must either be in Peace, or in War; If She be in Peace, the Few are soonest effeminated and corrupted, and so obnoxious also unto Faction: If in War, succeeding ill, she is an easie prey; or succeeding well, ruined by Increase: a weight which her Foundation is not able to bear. For Lacedemon when she had made her self Mistress upon the matter, of
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all Greece, through a slight accident, the rebellion of Thebes, occasioned by the Conspiracy of Pelopidas discovering this infirmity of her nature, the rest of her conquer'd Cities immediately knocked off, and in the turn as it were of an hand reduced her from the fullest Tide, unto the lowest Ebb of her fortune. And Venice having possessed Her self of a great part of Italy by her Purse, was no sooner, in defence of it, put unto the tryall of her Arms, then She lost all in one Battail.

whence I conclude, That in the Ordination of a Common-wealth, a Legislator is to think upon that which is most honourable; and laying aside the Modells for Preservation, to follow the example of Rome conniving at, and temporizing with the enmity between the Senate and the People, as a necessary step unto the Roman Greatnesse. For that any man should find out a ballance that may take in the Conveniencies, and shut out the inconveniencies of both, I do not think it possible. These are the words of the Author, though the Method be somewhat alter'd, to the end that I may the better turn them unto my hand.

My Lords, I do not know how you hearken unto this sound, but to hear the greatest Artist in the modern World, giving Sentence against our Common-wealth; is that, with which I am nearly concerned. Wherefore, with the honour due unto the Prince of Politicians, let us examine his ratiocination, with the liberty which he hath asserted to be the right of a free people. But we shall never come up to him, except by taking the Businesse a little lower, we descend from effects to their causes. The Causes of Commotion in a Common-wealth are either external or internal. External are from Enemies, from Subjects, or from Servants. To dispute then what was the Cause why Rome was infested by the Italian, or by the Servile Wars, why the Slaves took the Capitol: why the Lacedemonians were near as frequently troubled with their Helots, as Rome with all those: Or why Venice, whose Situation is not trusted unto the faith of Men, hath as good or better quarter with them whom She Governeth, then Rome had with
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the Latines; were to dispute upon external Causes: the question put by *Machiavill*, is of internal Causes; Whether the enmity that was between the Senate and the People of *Rome* might have been removed; And to determine otherwise of this question then he doth, I must lay down other Principles then he hath. To which end I affirm, that a *Common-wealth* internally considered is either equall, or unequall. *A Commonwealth that is internally equall hath no internall cause of Commotion, and therefore can have no such effect, but from without. A Commonwealth internally unequall hath no internall cause of quiet, and therefore can have no such effect, but by diversion.*

Arist. Pol.
B. 2:

To prove my Assertions, I shall at this time make use of no other then his examples. *Lacedemon* was externally unquiet, because She was externally unequall, that is as to her Helots; and she was internally at rest, because she was equall in her Self, both in root and branch; In the root by her *Agrarian*, and in branch by the *Senate*, in as much as no man was thereunto qualified, but by election of the People: Which Institution of *Lycurgus* is mention'd by *Aristotle*, where he saith, That rendring his Citizens æmulous (not carelesse) of that Honour, he designed unto the People the Election of the Senate. Wherefore *Machiavill* in this, as in other places, having his eye upon the Division of *Patrician* and *Plebeian* Families as they were in *Rome*, hath quite mistaken the Orders of this *Common-wealth*, where there was no such thing. Nor did the Quiet of it derive from the Power of the Kings, who were so far from shielding the People from injury, of the Nobility, of which there was none in his sense, but the Senate, that one declared end of the Senate at the Institution, was to shield the people from the Kings, who thenceforth had but single Votes: Neither did it proceed from the streightnesse of the Senate, or their keeping the People aloof from the Government, that they were quiet, but from the equality of their administrations, seeing the *Senate* (as is plain by the Oracle, their fundamental Law) had no more then the Debate,

bate; and the Result of the Common-wealth belonged unto the People. Wherefore when *Theopomp* and *Polydore* Kings of *Lacedemon*, would have kept the people aloof from the Government, by adding unto the ancient Law this Clause (*Si præter populum rogasset, Senatui Regibusq; retractandi jus esset*), If the determination of the People be faulty, it shall be lawfull for the *Senate* to resume the Debate; the people immediately became unquiet, and resumed that Debate, which ended not till they had set up their Ephors; and caused that Magistracy to be confirmed by their Kings. (*Theopompo Spartanorum regi moderationis testimonium reddamus. Nam cum primus instituisset ut Ephori Lacedemone crearentur, ita futuri regie potestati oppositi, quemadmodum Romæ Tribuni Plebis consulari imperio sunt obiecti: atq; illi uxor dixisset, id egisse illum ut filiis minorem potestatem relinqueret: Relinquam, inquit, sed diuturniorem. Optio quidem. Ea enim demum tuta est potentia, quæ viribus suis modum imponit. Theopompus igitur legitimis regnum vinculis constringendo, quo longius à licentia retraxit, hoc propius ad benevolentiam civium admovit*). By which it may appear, that a Commonwealth for Preservation if she come to be unequal, is as obnoxious unto enmity between the *Senate* and the *Peopl*, as a Commonwealth for Encrease: and that the Tranquillity of *Lacedemon* derived from no other Cause then her Equality.

Plutarch in the Life of Lyncurgus.

Val. Max. l. 4.

For *Venice*, to say, that she is quiet because she disarms her Subjects, is to forget, that *Lacedemon* disarmed her Helots, and yet could not in their regard be quiet; wherefore if *Venice* be defended from external causes of commotion, it is first, through her situation, in which respect her Subjects have no hope; (and this indeed may be attributed unto her fortune) and secondly, through her exquisite Justice, whence they have no will to invade her: but this can be attributed to no other cause then her prudence: which will appear to be greater, as we look nearer; for the effects that proceed from fortune (if there be any such thing) are like their cause, unconstant; but there never happened unto any other Commonwealth,

wealth, so undisturbed and constant a tranquillity and peace in her self, as is that of *Venice*; wherefore this must proceed from some other cause then Chance. And we see that as she is of allothers the most quiet, so the most equal, Commonwealth. Her body consists of one Order, and her Senate is like a rolling stone (as was said) which never did, nor, while it continues upon that rotation, ever shall gather the mosse of a divided or ambitious interest; much lesse such an one as that which grasped the people of *Rome* in the talons of their own Eagles. And if *Machiavill*, averse from doing this Commonwealth right, had consider'd her Orders, (as his reader shall easily perceive he never did) he must have been so far from attributing the prudence of them unto Chance, that he would have touched up his admirable work unto that perfection, which, as to the civil part, hath no pattern in the universall World, but this of *Venice*.

Rome, secure by her Potent and Victorious Arms from all external causes of commotion, was either beholding for her peace at home, unto her Enemies abroad, or could never rest her head. My Lords, you that are Parents of a Commonwealth, and so freer Agents then such as are meer natural, have a care. Foras no man shall shew me a Commonwealth born streight, that ever became crooked; so, no man shall shew me a Commonwealth born crooked, that ever became streight: *Rome* was crooked in her birth, or rather prodigious, her twins the *Patricians* and *Plebeian* Orders came, as was shewn by the foregoing story, into the world, one body, but two heads, or rather two bellies; for, notwithstanding the Fable out of *Aesop*, whereby *Menenius Agrippa* the Orator that was sent from the Senate unto the People at *Mount Aventine*; shew'd the Fathers to be the belly, and the people to be the Arms and the Legs; which except that, how sloathful soever it might seem, were nourished, not these but the whole body must languish and be dissolved; it is plain, that the Fathers were a distinct belly, such an one as took the meat indeed out
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of the peoples mouthes ; but abhorring the *Agrarian*, returned it not, in the due and necessary nutrition of a Commonwealth. Neverthelesse, as the people that live about the Cataracts of *Nilus* are said not to hear the noise ; so neither the *Roman* Writers, nor *Machiavill* the most conversant with them, seem among so many of the Tribunitian storms, to hear their natural voice : for though they could not misse of it, so far as to attribute them unto the strife of the People for participation in Magistracy ; or, in which *Machiavill* more particularly joyns, unto that about the *Agrarian* ; this was to take the businesse short, and the remedy for the disease.

(*Cujus levamen mali, Plebes, nisi suis in summo imperio locatis, nullum speraret.*)

Liv.

A People when they are reduced unto misery and despair, become their own Politicians, as certain beasts when they are sick become their own Physitians, and are carried by a natural instinct unto the desire of such herbs, as are their proper cure ; but the people, for the greater part, are beneath the beasts in the use of them : Thus the people of *Rome*, though in their misery, they had recourse by instinct as it were unto the two main Fundamentals of a Commonwealth, Participation of Magistracy, and the *Agrarian* ; did but taste, and spect at them, not (which is necessary in Physick) drink down the potion, and in that their healths. For when they had obtained participation of Magistracy, it was but lamely, not to a full and equall rotation in all elections ; nor did they greatly regard it in so much as they had gotten : And when they had attained unto the *Agrarian*, they neglected it so far as to suffer the Law to grow obsolete ; but if you do not take the due dose of your Medicines, (as there be slight tastes which a man may have of Philosophy that incline unto Atheisme) it may chance be poyson, there being a like taste of the Politiques that inclines to Confusion, as appears in the Institution of the *Roman* Tribunes, by which Magistracy, and no more, the people were so far from attaining unto peace, that they in getting but so

much, got but heads for eternal feud; whereas if they had attained in perfection either unto the *Agrarian*, they had introduced the equality and calm of *Lacedemon*; or unto *Rotation*, they had introduced that of *Venice*: And so there could have been no more Enmity between the *Senate* and the *People* of *Rome*, then there was between those Orders in *Lacedemon*, or is in *Venice*. Wherefore *Machiavill* seemeth unto me, in attributing the peace of *Venice* more unto her luck then her prudence; of the whole stable to have saddled the wrong horse, for though *Rome*,

(*quæ non imitabile fulmen*
Arc, et cornupedum cursu simulârat Equorum)

in her Military part could beat it better, beyond all comparison, upon the founding hoof; *Venice* for the Civil, hath plainly had the wings of *Pegasus*.

The whole Question then will come upon this Point, Whether the People of *Rome* could have obtained these Orders: And first, to say, that they could not have obtained them without altering the Common-wealth, is no argument; seeing, neither could they, without altering the Common-wealth, have obtained their Tribunes; which neverthelesse were obtained: And if a man consider the posture that the people were in when they obtained their Tribunes, they might as well, and with as great ease, (for as much as the reason why the Nobility yielded unto the Tribunes, was no other, then that there was no remedy) have obtained any thing else. And for experience, it was in the like case, that the *Lacedemonians* set up their Ephors, and the *Athenians* after the battel of *Plateæ*, bowed the Senate (so hard a thing it is for a *Commonwealth* that was born crooked to become streight) as much the other way. Nor, if it be objected, that this must have ruin'd the Nobility, and in that deprived the Common-wealth of the Greatnesse which she acquired by them; is this opinion holding, but confuted by the sequell of the story, shewing plainly,

plainly, that the Nobility through the defect of such Orders, that is to say, of *Rotation* and the *Agrarian*, came to eat up the people; and battenning themselves in Luxury, (as *Seneca* speaketh of them, *Inerit, ut i nobiles, i quibus si uis fiat, a praeter nomen, nihil erat addidimentum*) to bring so mighty a Commonwealth, so huge a glory, unto so deplorable an end. Wherefore, means might have been found, whereby the enmity that was between the Senate and the People of *Rome* might have been removed. My Lords,——

If I have argued well, I have given you the comfort and assurance, that notwithstanding the judgment of *Machiavill*, your Commonwealth is both safe and sound: but if I have not argued well, then take the comfort and assurance which he gives you, while he is firm, That a Legislator is to lay aside all other examples, and follow that of *Rome* only, conniving and temporizing with the enmity between the Senate and the People, as a necessary step unto the *Roman* Greatness. Whence it followes, that your Commonwealth at the worst, is that which he hath given you his word is the best.

I have held your Lordships long, but upon an account of no small importance, which I can now sum up in these few words: Where there is a lickerrishnesse in a popular Assembly to Debate, it proceedeth not from the constitution of the People, but of the Commonwealth: Now that the Commonwealth is of such Constitution as is naturally free from this kind of intemperance, is that which to make good, I must divide the remainder of my Discourse into two Parts.

The

The First, shewing the several Constitutions of the Assemblies of the People in other Common-wealths.

The Second, comparing of Our Assembly of the People with Theirs; and shewing how it excludeth the inconveniences, and embraceth the conveniencies of them all.

IN the beginning of the first Part I must take notice, that among the Popular error of our dayes it is no small one, That men imagines the ancient Governments of this kind to have consisted for the most part of one City, that is, of one Town; whereas by what we have learnt of my Lords that open'd them, it appears that there was not any considerable one of such a constitution but *Carthage*, till this in our dayes of *Venice*.

For to begin with *Israel*, it consisted of the twelve Tribes; locally spread or quartered throughout the whole Territory; these being called together by Trumpets, constituted the Church or Assembly of the people. The vastnesse of this weight, as also the slownesse, thence inavoidable, became a great cause (as hath been shewn at large by my Lord *Phosphorus*) of the breaking that Common-wealth; notwithstanding that the Temple, and those religious Ceremonies for which the people were at least annually obliged to repair thither; were no small ligament of the Tribes; otherwise but slightly tack'd together.

Athens consisted of four Tribes, taking in the whole People both of the City, and of the Territory; not so gather'd by *Thebes* into one Town, as to exclude the Country, but to the

end

end that there might be some Capital of the Commonwealth: though true it be, that the Congregation consisting of the Inhabitants within the Walls, was sufficient to all intents and purposes, without those of the Country; these also being exceeding numerous, became burdensome unto themselves, and dangerous unto the Common-wealth: the more for their ill education, as is observed by *Xenophon* and *Polybius*, who compare them unto Mariners, that in a calm are perpetually disputing and swaggering one with another, and never lay their hands unto the Common tackling or safety, till they be all indangered by some storm: Which caused *Thucydides*, when he saw this people through the purchase of their misery, become so much wiser, as to reduce their *Comitia* or Assemblies unto five thousand, to say, (as in his eighth Book) *And now (at least in my time) the Athenians seem to have ordered their State aright; consisting of a moderate temper both of the Few (by which he means the Senate of the Bean) and of the Many, or the five thousand; and he doth not only give you his judgment, but the best proof of it; for this (saith he) was the first thing, that after so many misfortunes past, made the City again to raise her head.* The place I would desire your Lordships to note, as the first example, that I find, or think is to be found, of a popular Assembly by way of Representative.

Lacedemon consisted of thirty thousand Citizens dispersed throughout *Laconia*, one of the greatest Provinces in all *Greece*, and divided (as by some Authors is probable) into six Tribes; of the whole Body of these being gather'd, consisted the great Church or Assembly, which had the Legislative power; the little Church, gather'd sometimes for matters of concernment, within the City, consisted of the *Spartans* only: these happened like that of *Venice* to be good constitutions of a Congregation, but from an ill cause the infirmity of a Common-wealth which through her Paucity was *Oligarchical*.

Wherefore, go which way you will, it should seem, that
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without a Representative of the people, your Commonwealth consisting of an whole Nation, can never avoid falling either into *Oligarchy* or confusion.

This was seen by the *Romans*, whose rustick Tribes extending themselves from the river *Arno*, unto the *Vulturnus*, that is, from *Fesula* or *Florence* unto *Capua*, invented a way of Representative by Lots; the Tribe upon which the first fell, being the prerogative, and some two or three more that had the rest, the *Jure-vocata*: These gave the Suffrage of the Commonwealth (*binis Comitibus*); the Prerogative at the first Assembly, and the *Jure vocata* at a second.

Now to make the paralel, All the inconveniences that you have observed in these Assemblies are shut out, and all the conveniences taken in, to your prerogative; for first it is that for which *Athens*, shaking off the blame of *Xenophon* and *Polybim*, came to deserve the praise of *Thucydides*, a Representative; and secondly, not as I suspect in that of *Athens*, and is past suspicion in this of *Rome*, by lot, but by suffrage, as was also the late House of Commons, by which means in the prerogatives, all the Tribes of *Oceana* are *Jure-Vocata*; and if a man shall except against the paucity of the standing number, it is a wheel, which in the revolution of a few years turneth every hand that is fit, or fitteth every hand that it turns, unto the publick work: Moreover, I am deceived, if upon due consideration, it do not fetch your Tribes with greater equality and ease unto themselves, and unto the Government, from the frontiers of *Marpesia*; than *Rome* ever brought any one of hers out of her *Pomæria*, or the nearest parts of her adjoining Territories. To this you may adde, That whereas a Commonwealth, which in regard of the People is not of facility in execution, were sure enough in this Nation to be cast off through impatience; Your Musters and Gallaxy's are given unto the people, as milk unto babes, whereby when they are brought up through four dayes election in an whole year, (one at the Parish, one at the Hundred, and two at the Tribe) unto their strongest meat, it is of no harder digestion, then to give
their

their Negative or Affirmative as they see cause. There be gallant men among us that laugh at such an appeal or umpire; but I refer it, whether you be more inclining to pardon them or me, who I confesse have been this day laughing at a sober man, but without meaning him any harm, and that is *Petrus Cuneus*, where speaking of the nature of the people, he saith, that *taking them apart, they are very simple, but yet in their Assemblies they see and know something*, and so runs away without troubling himself with what that something is. Whereas the people taken apart, are but so many private interests, but if you take them together, they are the publick interest; the publick interest of a Common-wealth (as hath been shewn) is nearest that of mankind, and that of mankind is right reason; but with the *Aristocracy*, whose reason or interest when they are all together, as appear'd by the *Patricians*, is but that of a party, it is quite contrary; for, as taken apart they are far wiser then the people, considered in that manner; so being put together, they are such fooles, that by deposing the people, as did those of *Rome*, they will saw off the branch whereupon they sit, or rather destroy the root of their own greatnesse: Wherefore *Machiavill* following *Aristotle*, and yet going before him, may well assert (*Che la multitude è piu savia et piu costante che un Principe*) the Prerogative of Popular Government for wisdom. And hence it is, that the Prerogative of your Common-wealth, as for Wisdom, so for Power, is in the People: which (albeit I am not ignorant, that the *Roman* Prerogative was so called a *Prærogando*, because their Suffrage was first asked) gives the denomination unto your Prerogative Tribe.

The Elections whether Annual or Triennial, being shewn by the Twenty second, that which comes in the next place to be considered, is

23. Ord.
The Constitution
Function and
Manner of
Proceeding
of the Præ-
rogative.

The Twenty third Order, shewing the Power, function, and manner of Proceeding of the Prerogative Tribe.

The Power or function of the Prerogative is of two parts, the one of Result, in which it is the Legislative Power, the other of Judicature, in which regard it is the highest Court, and the last appeal in this Common-wealth.

For the former part, the people by this Constitution, being not obliged by any Law, that is not of their own making; or Confirmation by the Result of the Prerogative, their equall Representative: It shall not be lawfull for the Senate to require Obedience; from the people, nor for the people to give obe obedience unto the Senate, in or by any Law that hath not been promulgated or printed & publisht for the space of six weeks; & afterwards proposed by the Authority of the Senate unto the Prerogative Tribe, and resolved by the Major Vote of the same in the affirmative. Nor shall the Senate have any power to levy War, Pen, or Money, otherwise then by the consent of the People so given, or by a Law so Enacted, except in cases of exigence, in which it is agreed, that the Power both of the Senate, and the People shall be in the Dictator, so qualified, and for such a terme of time as is according unto that Constitution already prescribed. While a Law is in Promulgation the Censors shall animadvert upon the Senate; and the Tribunes upon the People, that there be no laying of heads together; Conventicles, or Canbassing to carry on, or oppose any thing; but that all my be done in a free and open way.

For the latter part of the Power of the Prerogative or that whereby they are the Supream Indicators of this Nation, and of the Provinces of the same, the Cognizance of Crimes against the Majesty of the People, as high Treason, as also of Peculate that is robbery, of the Treasury, or Defraudation of the Common-wealth appertaineth unto this Tribe, and if any Person or Persons, Provincialls or Citizens shall appeale unto the people, it belongerh unto the Prerogative to Judge and determine the Case; Provided that if the Appeale be from any Court of justice in this Nation or the Provinces, the Appellant shall first deposite one hundred pounds in the Court from which he appealeth, to be forfeited unto the same, if he be cast in his Suite by the people. But the Power of the Council of War being the expedition of this Common-wealth, and the Partfall Law

Law of the Strategus in the Field, are those onely from which there shall lye no Appeale unto the People.

The Proceeding of the Prerogative in case of a Proposition, is to be thus Ordered: The Magistrates propoling by Authority of the Senate, shall rehearse the whole Matter, and expound it unto the People, which done, they shall put the whole together unto the Suffrage, with three Votes, the Negative, the Affirmative, and the Non-sincere: and the Suffrage being returned unto the Tribunes, and numbred in the presence of the Proposers, if the Major Vote be in the Non-sincere, the Proposers shall desist, and the Senate shall resume the Debate. If the Major Vote be in the Negative, the Proposers shall desist, and the Senate too. But if the Major Vote be in the Affirmative, then the Tribe is clear, and the Proposers shall begin and put the whole matter, with the Negative and the Affirmative, (leaving out the Non-sincere) by Clauses; and the Suffrages being taken and numbred by the Tribunes in the presence of the proposers, shall be written and reported by the Tribunes unto the Senate, and that which is proposed by the authority of the Senate, and confirmed by the Command of the People, is the Law of Oceana.

The Proceeding of the Prerogative in a case of Judicature is to be thus ordered. The Tribunes being Auditors of all Causes appertaining unto the Cognizance of the people, shall have notice of the Suite or Tryall, whether of appeale or otherwise, that is to be Commenced, and if any one of them shall accept of the same, it appertaineth unto him to introduce it. A Cause being introduced, and the people Mustered or Assembled for the Decision of the same, the Tribunes are presidents of the Court, having power to keep it: unto Orders, and shall be seated upon a Scaffold erected in the middle of the Tribe: upon the right hand shall stand a seat, or large pulpit assigned unto the Plaintiff, or the Accuser; and, upon the left, another for the Defendant, each if they please with his Counsel. And the Tribunes being attended upon such occasions with so many Ballotines, Secretaries, Door-keepers, and Messengers of the Senate as shall be requisite; One of them shall turn up a Glasse of the nature of an hour-glasse, but such an one as is to be of an houre and a halfe's running; which being turned up, the party, or Counsell on the right hand may begin to speak to the People; if there be Papers to be read, or witnesses to be examined, the Officer shall lay the Glasse side, wayes untill the Papers be read, and the Witnesses examined, and then turn it up again; and so long as the Glasse is running the Party on the right hand hath liberty to speak, and no longer. The
 party

Party on the right hand having had his time, the like shall be done in every respect, for the Party on the left. And the Cause being thus heard, the Tribunes shall put the question unto the Tribe with a white, a black, and a red Box (or non-sincere), Whether Guilty or not Guilty? And if, the Suffrage being taken, the Major Vote be in the Non-sincere, the Cause shall be re-heard upon the next juridical day following; and put unto the question in the same manner. If the Major Vote come the second time in the Non-sincere, the Cause shall be heard again upon the third day: but at the third hearing the question shall be put without the Non-sincere. Upon the first of the three dayes in which the Major Vote comes in the white box, the party accused is absolv'd; and upon the first of them in which it comes in the black box, the party accused is condemned. The party accused being condemned, the Tribunes shall put with the white and the black Box, these questions, or such of them, as, regard had unto the Case, they shall conceive most proper.

1. Whether he shall have a writt of ease,
2. Whether he shall be fined so much, or so much.
3. Whether he shall be Confiscated.
4. Whether he shall be rendred incapable of Magistracy.
5. Whether he shall be banished.
6. Whether he shall be put to Death.

These or any three of these questions whether simple or such as shall be thought fitly mixed, being put by the Tribunes, that which hath most above half the Votes in the black Box is the sentence of the people, which the Troop of the third Classis is to see executed accordingly.

But whereas by the Constitution of this Common-wealth it may appear that neither the Propositions of the Senate, nor the Judicature of the people, will be so frequent as to hold the Prerogative in continuall imployment; the Senate, a maine part of whose Office it is to teach and instruct the people, shall duly (if they have no greater affairs to divert them,) cause an oration to be made unto the Prerogative by some Knight or Magistrate of the Senate, to be chosen out of the ablest men, and from time to time, appointed by the Drator of the House; in the great Hall of the Pantheon, while the parliament resideth in the town; or in some Grove or sweet place in the field, while the parliament for the heat of the year shall reside in the country; upon every Tuesday, morning or afternoon. And

And the Orator appointed pro tempore unto this office shall first repeat the orders of the Common-wealth with all possible brevity; and then making choice of one, or some part of it, discourse thereof unto the people. An Oration or discourse of this nature being afterward perused by the councill of State, may as they see cause be printed and published.

The *Archon's* Comment upon the Order, I find to have been of this sense:

My Lords,

TO crave pardon for a word or two in farther explanation of what was read; I shall briefly shew how the Constitution of this Tribe or Assembly answers unto their Function; and how their function, which is of two parts, the former in the Result or Legislative Power; the later in the Supream Judicature of the Common-wealth, answers unto their Constitution. Machiavill hath a Discourse, where he puts the question, Whether the guard of liberty be with more security to be committed unto the Nobility, or to the People. Which doubt of his ariseth through the want of explaining his term; for the guard of liberty can signifie nothing else but the result of the Common-wealth; so that to say, that the guard of liberty may be committed unto the Nobility, is to say, that the result may be committed unto the Senate,

Senate, in which case the People signifie nothing : Now to shew it was a mistake, to affirm it to have been thus in Lacedemon, sufficient hath been spoken ; and whereas he will have it to be so in Venice also ; (Quello, saith Contarini, appresso il quale e la somma autorita di tutta la città, el dalle leggi, et decreti de i quali pende l'autorità così del Senato come ancora di tutti i Magistrati, e il Consiglio Grande.) it is institutively in the great Council by the Judgment of all that know that Common-wealth ; though for the reasons shewn it be sometimes exercised by the Senate. Nor need I run over the Common-wealths in this place for the proof of a thing so doubtlesse, and such as hath been already made so apparent, as that the result of each was in the Popular part of it. The Popular part of yours, or the Prerogative Tribe, consisteth of seven Deputies (whereof three are of the Horse) annually elected out of every Tribe of Oceana, which being fifty, amounteth unto one hundred and fifty Horse, and two hundred Foot ; and the Prerogative consisting of three of these Lists, consisteth of four hundred and fifty Horse, and six hundred Foot, (besides those of the Provinces to be hereafter mentioned)

mentioned) by which means the over-balance in the Suffrage remaining unto the Foot by one hundred and fifty Votes, you have unto the support of a true and natural Aristocracy, the deepest root of a Democracy that hath been planted. Wherefore there is nothing in Art or Nature better qualify'd for the result then this Assembly.— It is noted out of Cicero by Machiavill, That the People, albeit they are not so prone to find out truth of themselves, as to follow Custome, or run into error; yet if they be shew'd truth, they not only acknowledge and embrace it very suddenly, but are the most constant and faithful Guardians and Conservators of it. It is your Duty and Office, whereunto you are also qualify'd by the Orders of this Common-wealth, to have the People as you have your Hawks and Greyhounds, in leases and slips, to range the fields, and beat the bushes for them; for they are of a nature that is never good at this sport, but when you spring or start their proper quarry: think not that they will stand to ask you what it is, or lesse know it then the Hawks and Greyhounds do theirs; but forthwith make such a flight or course, that a Huntsman may as well undertake to run with his dogs, or a Faulkoner.

Faulkoner to fly with his Hawk, as an Aristocracy at this game to compare with the People. The People of Rome were seized upon no less prey then the Empire of the World, when the Nobility turned tails and pearched among Daves upon the Tower of Monarchy. For though they did not all of them intend the thing, they would none of them indure the remedy, which was the Agrarian.

But the Prerogative Tribe hath not only the Result, but is the Supream Judicature, and the ultimate Appeal in this Common-wealth. For the Popular Government that makes account to be of any standing, must make sure in the first place of the Appeal unto the People. (Ante omnes de provocatione adversus Magistratus ad Populum, sacrandog; cum bonis capite ejus, qui regni occupandi concilia inesset.) As an Estate in trust becomes a mans own, if he be not answerable for it, so the Power of a Magistracy not accomptable unto the People from whom it was received becoming of private use, the Common-wealth loses her Liberty; Wherefore the right of Supream Judicature in the People (without which there can be no such thing as Popular Government) is confirmed by the
constant

constant Practice of all Common-wealths; as that of Israel in the Cases of Achan, and of the Tribe of Benjamin, adjudged by the Congregation. The Dicasterion or Court called the Heliaia in Athens, which (the Comitia of that Commonwealth consisting of the whole People, and so being too numerous to be a Judiciary) was constituted sometimes of Five hundred, at others of One thousand, or, according to the greatnesse of the Cause, of Fifteen hundred, elected by the Lot out of the whole body of the People, had with the nine Archons, that were Presidents, the Cognizance of such Causes as were of highest importance in that State. The Five Ephors in Lacedemon, which were Popular Magistrates, might question their Kings, as appears by the Cases of Pausanias and of Agis, who being upon his Tryall in this Court, was cryed unto by his Mother, to appeal unto the People, as Plutarch hath it in his Life. The Tribunes of the People of Rome, like in the nature of their Magistracy, and for sometime in number, unto the Ephors; as being according unto Halicarnasseus and Plutarch, instituted in imitation of them; had power (diem dicere) to Summon any Man, his Magi-

C c

stracy

stracy at least being expired, (for from the Dictator there lay no Appeal) to answer for himself unto the People. As in the case of Coriolanus, which was going about to force the People by withholding Corn from them in a famine, to relinquish the Magistracy of the Tribunes. In that of Sp. Cassius for affecting Tyranny. Of M. Sergius for running away at Veii. Of C. Lucretius for spoiling his Province. Of Junius Silanus for making War against the Cimberi, in jussu Populi; with divers others. And the Crimes of this nature were call'd *Læsæ Majestatis*. Examples of such as were arraigned, or tryed for *Peculate*, or *Defraudation* of the Common-wealth, were, M. Curius, for intercepting the money of the Samnites. Salinator, for the unequal division of Spoyles unto his Souldiers. M. Posthumius, for Cheating the Commonwealth by a feigned Shipwrack; Causes of these two kinds were of more *Publique* nature; but the like Power upon Appeals was also exercised by the People in private Matters, even during the time of the Kings; As in the Case of Horatius. Nor is it otherwise with Venice, where Doge Loricato was Sentenced by the great Council; and Antonio Grimani; after-

afterwards Doge, questioned, for that he being Admiral, had suffered the Turk to take Lepanto in view of his Fleet.

Nevertheless, there lay no Appeal from the Roman Dictator unto the People; which if there had, might have cost the Common-wealth dear, when Sp. Mælius affecting Empire, circumvented and debauched the Tribunes; whereupon T. Quintius Cincinnatus was created Dictator. Who having chosen Servilius Alaha to be his Lieutenant or Magister Equitum, sent him to apprehend Mælius, whom while he disputed the Commands of the Dictator, and implored the aid of the People, Alaha cut off upon the place: By which example you may see in what cases the Dictator may prevent the blow, which is ready sometimes to fall ere the People be aware of the danger. Wherefore there lyes no Appeal from the Dieii in Venice unto the Great Council, nor from our Council of War to the People. For the way of proceeding of this Tribe, or the Ballot, it is, as was once said for all, Venetian.

This Discourse (de Judiciis) whereupon we are fallen, bringeth us rather naturally then of design from the two general Orders of every Common-wealth;

that is to say, from the Debating part, or the Senate; and the Resolving part, or the People; to the third, which is the Executive part, or the Magistracy; whereupon I shall have no need to dwell: For, the Executive Magistrates of this Commonwealth are the Strategus in Arms, the Signory in their several Courts; (as the Chancery, the Exchequer) as also the Councils in divers Cases within their Instructions, the Censors as well in their proper Magistracy, as in the Council of Religion: the Tribunes in the Government of the Prerogative, and that Judicatory: And the Judges with their Courts; Of all which so much is already said or known as may suffice.

The Tuesday-Lectures or Orations unto the People, will be of great benefit unto the Senate, the Prerogative, and the whole Nation. Unto the Senate, because they will not only teach your Senators Elocution, but keep the Systeme of the Government in their memories. Elocution is of great use unto your Senators; for if they do not understand Rhetorick, (giving it at this time for granted, that the Art were not otherwise good) and come to treat with, or vindicate the cause of the Commonwealth against some other

other Nation, that is good at it ; the advantage will be subject to remain upon the merit of the Art, and not upon the merit of the Cause. Furthermore, the Genius or Soul of this Government, being in the whole and in every part ; they will never be of ability in determination upon any particular, unlesse at the same time they have an Idea of the whole. That this therefore must be, in that regard, of equal benefit unto the Prerogative, is plain ; though these have a greater concernment in it. For this Common-wealth is the Estate of the People : and a man (you know) though he be virtuous, yet if he do not understand his Estate, may run out or be cheated of it. Last of all, the treasures of the Politicks will by this means be so opened, rifled, and dispersed, that this Nation will as soon dote, like the Indians, upon glasse Beads, as disturb your Government with whimsies, and freaks of mother-wit ; or suffer themselves to be stutter'd out of their Liberties. There is not any reason why your Grandees, your wise men of this Age, that laugh out, and openly, at a Common-wealth, as the most ridiculous thing, do not appear to be, as in this regard they are, meer Ideots ; but that the People have not Eyes.

There

There remaineth no more appertaining unto the *Senate* and the *People*, than

24. Ord.

Constitution of the Provincial part of the Senate, and the People.

The Twenty fourth Order, Whereby it is lawfull for the Province of Marpesia to have 30. Knights of their own election continually present in the Senate of Oceana together with 60. Deputies of Horse, and 120. of Foot in the Prerogative Tribe, indued with equall power (respect had unto their quality and number,) in the Debate and result of this Common-wealth: Provided that they Observe the Course or Rotation of the same by the Annuall Return of 10. Knights, 20. Deputies of the Horse, and 40. of the Foot The like in all respects is lawfull for Panopea and the Horse of both the Provinces amounting unto one Troop, and the Foot unto one Company; one Captain, and one Cornet of the Horse shall be annually chosen by Marpesia; and one Captain and one Ensigne of the Foot shall be annually chosen by Panopea.

Constitution of the Parliament.

The Orb of the Prerogative being thus Compleat is not unnaturally compar'd unto that of the Moon, either in consideration of the Light, borrowed from the Senate as from the Sun, or of the ebbs and floods of the People, which are marked by the Negative or Affirmative of this Tribe, And the Constitution of the Senate and the People being shewn, You have that of the Parliament of *Oceana*, Consisting of the Senate proposing, and of the People resolving; which amounts unto an Act of Parliament. So the Parliament is the Heart, which consisting of two Ventricles; the one greater and replenished with a grosser store; the other lesse and full of a purer; sucketh in, and gusheth forth the life blood of *Oceana* by a perpetuall Circulation. Wherefore the life of this Government is no more unnaturall or obnoxious for this, unto dissolution, then that of a Man; Nor unto giddinesse then the World, (seeing the Earth whether it be itself, or the Heavens that are in Rotation, is so farr from being giddy that it could not subsist without the motion.) But why should not this Government be much rather capable of duration and steddinesse by a motion? than which GOD hath ordained no other unto the universall Common-wealth of Mankind; seeing one Generation cometh, & another goeth, but the Earth remaineth firme for ever; that is in her proper Situation or Place, whether shee be moved or not moved upon her proper Center. The Senate the People and the Magistracy, or the Parliament so Constituted (as you have seen) is the Guardian of this Common-wealth,

wealth, and the Husband of such a Wife as is elegantly described by Solomon. *Shee is like the Merchants Ship, Shee bring- Prov. 31.*
eth her food from farre. She considereth a Field and buyeth it:
With the fruit of her hands Shee Planteth a Vineyard: Shee concei-
ved that her Merchandize is good: She stretcheth forth her hands to the
poor: Shee is not affraid of the Snow for her Houſhold, for all her houſhold
are clothed with Scarlet: Shee maketh her ſelf Coverings of her
Tapeſtry; Her cloathing is Silke and Purple; Her Husband is
known (by his Robes) in the Gates, when he ſit. eth amongſt the Sena-
tors of the Land. The Gates, or inferiour Courts were branches
as it were of the Sanhedrim or Senate of *Iſrael*. Nor is our
Common-wealth a worſe houſwife, or hath ſhee leſſe regard
unto her Magiſtrates; as may appear by,

The Twenty fifth Order. That, whereas the Publique Revenue *Ord. 25.*
is through the late Civill Wars obſcured; the Cricize, being impro-
ved or improvable to the Revenue of *One Million*, be applied for
the ſpace of Eleven years to come, unto the reparation of the ſame, and
the preſent Maintenance of the Magiſtrates, Knights, Deputies, and
other Officers, who according unto their ſeverall Dignities and
Functions ſhall annually receive towards the Support of the ſame,
as followeth;

The Lord Stratêgus Marching, is upon
another accompt to have Field
Pay as Generall.

li. per Annum.

The Lord Strategus ſitting	002000.
The Lord Orator	002000.
The three Commissioners of the Seal	004500.
The three Commissioners of the Treafury	004500.
The two Cenſors	003000.
The 290. Knights, at 500 l. a Man	145000.
The 4. Embaſſadors in Ordinary	012000.
The Council of War for Intelligence	003000.
The Maſter of the Ceremonies	000500.
The Maſter of the Horſe	000500.
His Substitute	000150.

The

The 12. Ballotines for their winter Liveries — 000240.
 For their Summer Liveries ———— 000120.
 For their board-wages ———— 000480.

For the keeping of three Coaches of
 State, 24 Coach-horses with Coach- } ——— 001500.
 men, and Postilions

For the Grooms, and keeping of 16. }
 great Horses for the Master of the }
 Horse, and for the Ballotines whom } ——— 000480.
 he is to govern and instruct in the }
 Art of Riding,

The 20. Secretaries of the Parliament ——— 002000.

The 20. Door-keepers who are to
 attend with Pole-axes ; For their } ——— 000200.
 Coats,

For their Board-wages ———— 001000.

The 20. Messengers, which are }
 Trumpeters ; For their Coats, } ——— 000200.

For their Board-wages, ———— 001000.

For Ornament of the Masters of the Youth — 005000.

Sum, — 189370.

Out of the Personall Estates of every man who at his death be-
 queatheth not above Forty shillings unto the Master of that Hundred
 wherein it lyes, shall be levied one per Cent, untill the sold Revenue
 of the Master of the Hundred amount unto 50. l. per annum ; for
 the Wizes of the Pouth.

The twelve Ballotines are to be divided into three Regions accor-
 ding unto the Course of the Senate, the four of the first Region to
 be elected at the Tropick out of such Children as the Knights of the
 same shall offer, not being under Eleven yeers of age, nor above
 13. And their Election shall be made by the Lot at an Wyn set by
 the Serjant of the house for that purpose in the Hall of the Pantheon.
 The Liberty of the Common-wealth for the fashion or the colour may
 be changed at the Election of the Strategus according unto his phan-
 tastic.

task. But every Knight during his Session shall be bound to give unto his Foot-man or some one of his Foot-men, the Liberty of the Common-wealth.

The *Prerogative Tribe* shall receive as followeth :

li. by the week.

The 2. Tribunes of the Horse	————— 000014
The 2. Tribunes of the Foot	————— 000012
The 3. Captains of Horse	————— 000015
The 3. Cornets	————— 000009
The 3. Captains of Foot	————— 000012
The 3. Ensigns	————— 000007
The 442 Horse at 2 l. a man	————— 000884
The 592 Foot at 1 l. 10 s. a man	————— 000888
The 6. Trumpeters	————— 000007-10 s.
The three Drummers	————— 000002-5 s.

Summ, by the week — 001850-15.

Summ, by the Year — 096239—

The Totall of the Senate, } l. \ s.
the People, and the } 287459-15.
Magistracy,

The dignity of the Common-wealth, and ayds of the severall Magistracies and Offices thereunto belonging being provided for as aforesaid, the Overplus of the Excise with the Product of the Summe rising shall be carefully mannaged by the Senate and the People through the diligence of the Officers of the Exchequer; till it amount unto Eight Millions, or to the purchase of about four hundred thousand Pounds solid Revenue. At which time, the terme of eleven yeers being expired, the Excise, (except if be otherwise ordered by the Senate and the people) shall be totally remitted, and absolute, for ever.

At this Institution the Taxes (as will better appear in the *Corollary*) were abated about one half, which made the Order when it came to be tasted, to be of good relish with the People in the very beginning; though the Advantages then were no-wise comparable unto the Consequences to be hereafter shewn. Neverthelesse, my Lord *Epimonus*, who with much ado had been held till now, found it Midsummer Moon, and broke out of Bedlam in this mood,

My Lord *Archon*,

I Have a singing in my head like that of a Cart wheel, my brains are upon a rotation; and some are so merry, that a man cannot speak his griefs; but if your high-shod Prerogative, and those same slouching Fellowes your Tribunes, do not take my Lord *Stratêgus's*, and my Lord Orator's heads, and jole them together under the Canopy, then let me be ridiculous unto all Posterity: For here is a Common-wealth, to which if a man should take that of the Prentices in their ancient administration of Justice at Shrove-tide, it were an Aristocratie. You have set the very Rabble with Troncheons in their hands, and the Gentry of this Nation like Cocks with scarlet gills, and the golden combs of their Salaries to boot, lest they should not be thrown at.

Not a Night can I sleep for some horrid Apparition or other; One while these Myrmidons are measuring silks
by

by their quarter-Staves; another stuffing their greasie Poutches with my Lord High-Treasurer's Jacobus's: For they are above a thousand in Arms to three hundred, which, their Gowns being pull'd over their ears, are but in their doublets and hose. But what do I speak of a Thousand? there be two thousand in every Tribe, that is an hundred thousand in the whole Nation, not only in the Posture of an Army, but in a Civill capacity sufficient to give us what Lawes they please: Now every body knowes, that the lower sort of People regard nothing but money; and you say it is the duty of a Legislator to presume all men to be wicked, wherefore they must fall upon the richer, as they are an Army; or lest their minds should misgive them in such a villany, you have given them encouragement that they have a nearer way, seeing it may be done every whit as well by the overballancing Power which they have in Elections. There is a Fair which is annually kept in the Center of these Territories at Kiberton, a Town famous for Ale, and frequented by Good Fellowses; where there is a solemnity of the Pipers, and Fidlers of this Nation, (I know not whether Lacedemon, where

the Senate kept accompt of the stops of the Flutes and of the Fiddlestrings of that Common-wealth; had any such Custom) call'd the Bull-running, and he that catcheth and holdeth the Bull, is the annuall and Supream Magistrate of that Comitia, or Congregation, called King-Piper; without whose Licence it is not lawfull for any of those Citizens to enjoy the liberty of his Calling; nor is he otherwise legitimately qualifys'd (or civitate donatus) to lead Apes, or Bears in any Perambulation of the same. Mine Host of the Bear, in Kiberton, the father of Ale, and Patron of good Foot-ball and Cudgel-players hath any time since I can remember been Grand-Chancellor of this Order. Now say I, seeing great things arise from small beginnings, what should hinder the People prone to their own advantage, and loving money, from having Intelligence conveyed unto them by this same King-Piper & his Chancellor, with their Loyall Subjects the Minstrills and Bear-wards: Masters of Ceremonies, unto which there is great recourse in their respective Perambulations, and which they will Commission and instruct, with directions unto all the Tribes, willing and commanding them, That as they wish

wish their own goods, they choose none other into the next Primum Mobile, but of the ablest Cudgell and Foot-ball Players: which done as soon as said, your Primum mobile consisting of no other stuffe, must of necessity be drawn forth into your Nebulones, and your Galimofrys, and so the silken Purses of your Senate and Prerogative being made of Soves-ears, most of them Black-Smiths, they will strike while the Iron is hot, and beat your Estates into Hob-nailes; Mine Host of the Bear being Strategus, and King-Piper Lord Orator. Well, my Lords, it might have been otherwise, exprest, but this is well enough a conscience. In your way, the wit of Man shall not prevent this or the like Inconvenience; but if this, (for I have conferr'd with Artists) be a Mathematical demonstration, I could kneel to you, that ere it be too late we might return unto some kind of Sobriety.

If we empty our Purses with these Pumps, Salaries, Coaches, Lacquays, and Pages, what can the people say lesse, then that we have drest a Senate and a Prerogative to nothing, but to go unto the Park with the Ladies?

My

My Lord *Archon*, whose meeknesse resembled that of *Moses*, vouchsafed this Answer :

My Lords,

FOR all this, I can see my Lord *Epimonus* every night in the Park, and with Ladies ; nor do I blame this in a young man, or the respect which is and ought to be given unto a Sex that is one half of the Common-wealth of mankind, and without which the other would be none ; howbeit our Magistrates I doubt may be somewhat with the oldest to perform this part with much acceptation : (and, *Servire et non gradire, è cosa da morire*) Wherefore we will lay no certain obligation upon them in this point, but leave them (if it please you) unto their own fate or discretion. But this, for I know my Lord *Epimonus* loves me, and though I can never get his esteem, I will say, If he had a Mistressse should use him so, he would find it a sad life : or I appeal unto your Lordships, how I can resent it from such a friend, that he puts King *Piper's* Politicks in the ballance with mine. King *Piper*, I deny not, may teach his Bears to dance, but they have the worst ear of all creatures ; now how he should make them keep time in fifty severall Tribes, and that two yearstogether, for else it will be to no purpose, may be a small matter with my Lord to promise ; but it seemeth unto me of impossible performance : first, through the nature of the Bean ; and secondly, through that of the Ballot ; or what he hath hitherto thought so hard, is now come to be easie : but he may think, that for expedition they will eat up these Balls like Apples ; however, there is so much more in their way, by the constitution of this, than is to be found in that of any other Common-wealth, that I am reconciled ; it now appearing plainly, that the points of my Lords arrowes are directed at no other white then to shew the excellency of our Government above others ; which as he proceeds farther, is yet plainer : while he makes it appear,

that

that there can be no other elected by the people but Smiths,

(*Brontesq; Steropesq; et nudus membra Pyracmon.*)

Othoniel, Aod, Gideon, Jephtha, Samson, as in *Israel*: *Miltiades, Aristides, Themistocles, Cimon, Pericles*, as in *Athens*. *Papyrius, Cincinnatus, Camillus, Fabius, Scipio*, as in *Rome*. Smiths of the fortune of the Common-wealth, not such as forg'd hobnails, but Thunder-bolts. Popular Elections are of that kind, that all the rest of the world is not able either in number or glory to equal those of these three Common-wealths. These indeed were the ablest Cudgel and Foot-ball players; bright Armes were their Cudgels, and the World was the Ball that lay at their Feet. Wherefore we are not so to understand the Maxime of *Legislators*, which holdeth all men to be wicked, as if it related to mankind or a Common-wealth, the interests whereof are the only streight lines that they have whereby to reform the crooked, but as it relates unto every man or party under what colour soever he or they pretend to be trusted apart, with or by the whole. Hence then it is derived, which is made good in all experience, that the *Aristocracy* is ravenous, and not the *People*: Your high-way-men are not such as have Trades, or have been brought up unto industry; but such whose education hath pretended unto that of Gentlemen. My Lord is so honest, he doth not know the Maxims that are of absolute necessity unto the arts of wickedness; for it is most certain, if there be not more purses then Thieves, that the thieves themselves must be forced to turn honest, because they cannot thrive of their Trade: but now if the people should turn thieves, who sees not that there would be more theeves then purses; wherefore that an whole People should turn robbers or Levellers is as impossible in the end as in the means. But that I do not think your Artist mention'd, Astronomer or Arithmetician which he be, can tell me how many barley corns would reach unto the Sun, I could be content he were called unto the account, with which I shall conclude this Point: when by the way I have chidden my Lords the Legislators, who as
if

if they doubted my tackling would not hold, leave me to
 flag in a perpetual calm ; but for my Lord *Epimonus*, who
 breathes now and then into my sayles and stirs the waters. A
 Ship maketh not her way so briskly, as when she is hand-
 somely brushed by the waves, and tumbles over those that
 seem to tumble against her ; in which case I have perceived
 in the dark, that light hath been stricken even out of the Sea,
 as in this place, where my Lord *Epimonus* faining to give us
 a demonstration of one thing, hath given it of another, and
 of a better. For the people of this Nation, if they amount in
 each Tribe unto two thousand Elders, and two thousand
 Youth upon the annual Roll, holding a fifth unto the whole
 Tribe ; then the whole of a Tribe (not accounting women and
 children) must amount unto twenty thousand ; and so the
 whole of all the Tribes, being fifty, unto one million. Now
 you have ten thousand Parishes, and reckoning these one with
 another, each at one thousand pounds a year dry rent ; the
 Rent or Revenue of the Nation as it is or might be let to farm,
 amounteth unto ten millions ; and ten millions in revenue di-
 vided equatly unto one million of men, comes but to ten
 pounds a year unto each whereupon to maintain himself, his
 Wife and Children. But he that hath a Cow upon the Com-
 mon, and ernes his shilling by the day at his labour, hath twice
 as much already as this would come unto for his share ; be-
 cause if the Land were thus divided, there would be no body
 to set him on work : my Lord *Epimonus*'s Footman, who costs
 him thrice as much as one of these could thus get, would lose
 by this bargain. What should we speak of those innumerable
 Trades whereupon men live not only better then others upon
 good shares of Lands, but become also purchasers of greater
 Estates ? Is not this the demonstration which my Lord meant,
 that the Revenue of Industry in a Nation, at the least in this,
 is three or four-fold greater then that of the meer rent ? If
 the people then obstruct Industry, they obstruct their own live-
 lihood ; but if they make a War, they obstruct Industry.

Take

Take the bread out of the peoples mouthes, as did the *Roman Patricians*, and you are sure enough of a *War*, in which case they may be *Levellers*; but our *Agrarian* causeth their Industry to flow with milk and honey. It may be answer'd,

(*O fortunati nimium, bona si sua norint
Agricole*)

That this is true, if the people were given to understand their own happinesse; but where do they that? Let me answer with the like question, Where do they not? They do not know their happinesse it should seem in *France*, *Spain*, and *Italy*: teach them what it is, and try whose sense is the truer. But as to the late *Wars* in *Germany*, it hath been affirmed unto me there, that the *Princes* could never make the people to take Arms while they had bread, and have therefore suffer'd Countreys now and then to be wasted, that they might get Souldiers: This you will find to be the certain pulse and temper of the people; and if they have been already proved to be the most wise and constant order of a Government; why should we think, when no man can produce one example of the common Souldiery in an Army, mutinying because they had not Captains pay; that the Prerogative should jole the heads of the Senate together, in regard that these have the better Salaries, while it must be as obnoxious unto the People in a Nation, as to the Souldiery in an Army, that it is no more possible, their emoluments of this kind should be afforded by any Common-wealth in the world to be made equal with those of the Senate, then that the Common Souldiers should be equall with the Captains: it is enough to the common Souldier that his virtue may bring him to be a Captain, and more unto the Prerogative, that each of them is nearer to be a Senator.

If my Lord think our Salaries too great, and that the Common-wealth is not Housewife enough; whether is it better huswifery that she should keep her family from the snow, or

suffer them to burn her house that they may warm themselves; for one of these will be; do you think that she came off at a cheaper rate, when men had their rewards by a thousand, two thousand pounds a year in Land of Inheritance? If you say, that they will be more godly then they have been, it may be ill taken; and if you cannot promise that, it is time we find out some way of stinting at least, if not curing them of that same *Sarra Fames*. On the other side, if a poor man (as such an one may save a City) give his sweat unto the publick, with what conscience can you suffer his Family in the mean time to starve. But he that layes his hand unto this plough, shall not lose by taking it off from his own: and a Common-wealth that will mend this, shall be penny-wise. The *Sanhedrim* of *Israel* being the Supream, and a constant Court of Judicature could not choose but be exceeding gainful. The *Senate* of the *Bean* in *Athens*, because it was but annual, was moderately salaried, but that of the *Areopagites* being for life bountifully; which advantages the Senators of *Lacedemon* had, where there was little mony or use of it, was in honour for life. The *Patricians* having no profit took all; *Venice* being a situation, where a man goes but to the door for his employment, the honour is great, and the reward very little: but in *Holland* a Counsellour of State hath fifteen hundred Flemish pounds a year, besides other accommodations. The States General have more. And that Common-wealth looketh nearer her penny, then ours need to do.

For the Revenue of this Nation, besides that of her industry, amounts, as hath been shewn, unto ten millions, and the Salaries in the whole, come not unto three hundred thousand pounds a year; the beauty they will adde unto the Common-wealth will be exceeding great, and the people delight in the beauty of their Common-wealth, the encouragement they will give unto the study of the publick very profitable, the accommodation they will afford unto your Magistrates, very honourable and easie. And the sum, when it or twice as
much

much was spent in hunting and house-keeping, was never any grievance unto the people. I am ashamed, to stand huckling upon this point; it is sordid. Your Magistrates are rather to be provided with farther accommodations. For what if there should be sicknesse? whither will you have them to remove? and this City in the soundest times, for the heat of the year, is no wholesome abode: have a care of their healths unto whom you commit your own. I would have the *Senate* and the *People*, except they see cause to the contrary; every first of *June*, to remove into the Country ayre, for the space of three moneths: you are better fitted with Summer houses for them, then if you had built them to that purpose; there is some twelve miles distant the *Convallium* upon the River *Halcionia*, for the Tribunes and the Prerogative, a Pallace capable of a thousand men; and at twenty miles distant you have *Mount Celia*, reverend as well for the antiquity as state of a Castle, compleatly capable of the Senate, the Proposers having lodgings in the *Convallium*, and the Tribunes in *Celia*; it holds the correspondence between the Senate and the People exactly. And it is a small matter for the Proposers, being attended with the Coaches and Officers of State, besides other conveniences of their own, to go a matter of five or ten miles (those Seats are not much farther distant) to meet the people upon any Heath or Field that shall be pointed: where having dispatched their businesse, they may hunt their own Venison, (for I would have the great walled Park upon the *Halcionia* to belong to the Signory, and those about the *Convallium* unto the Tribunes) and so go to supper. Pray my Lords, see that they do not pull down these houses to sell the lead of them; for when you have consider'd on it, they cannot be spared. The founders of the School in *Hiera*, provided that the boyes should have a Summer seat. You should have as much care of these Magistrates. But there is such a selling, such a Jewish humour in our Republicans, that I cannot tell what to say to it; onely this, any man that knowes what belongs to a Com-

mon-wealth, or how diligent every Nation in that case hath been, to preserve her ornaments, and shall see waste lately made, the Woods adjoyning unto this City which served for the delight and health of it, cut down to be sold for three pence ; will tell you, that they who did such things would never have made a Common-wealth : The like may be said of the ruine or damage done upon our Cathedrals, ornaments in which this Nation excels all others : nor shall this ever be excused upon the score of Religion ; for though true it be, that God dwelleth not in houses made with hands, yet you cannot hold your Assemblies but in such houses, and these are of the best that have been made with hands. Nor is it well argued that they are pompous, and therefore prophane, or lesse proper for Divine service, seeing that the Christians in the Primitive Church chose to meet with one accord in the Temple ; so far were they from any inclination to pull it down.

The Orders of this Common-wealth, so far, or near so far forth, as they concern the Elders, together with the severall Speeches at the Institution, which may serve unto the better understanding of them as so many Commentaries, being shewn ; I should now come from the Elders unto the Youth, or from the Civil Constitution of this Government unto the Military, but that I judge this the fittest place ; whereinto by the way to insert the Government of the City, though for the present but perfunctorily.

THe Metropolis or Capitall City of Oceana is commonly called Emporium; though it consist of two Cities distinct, as well in name as in Government, whereof the other is called Hiera: For which cause I shall treat of each apart, beginning with Emporium.

The Government of Emporium.

Emporium with the Libertyes, is under a twofold division, the one regarding the Nationall and the other, Urbane or City Government; it is divided in regard of the Nationall Government into three Tribes, and in respect of the Urbane into Twenty six, which for distinction sake are called wards, being contained under the three Tribes but unequally, wherefore the first Tribe containing ten wards is called Scazon, the second containing eight Metoche, and the third containing as many, Telicouta: the bearing of which names in mind concernes the better understanding of the Government.

The City Tribes and Wards.

Every ward, hath her Wardmot, Court or Inquest, consisting of all that are of the clothing or Liveries of Companies, residing within the same.

Wardmot.

Such are of the Livery or Clothing as have obtained unto the dignity to weare Gowns and Particolour'd Hoods or Tipets according unto the Rules, and ancient Customes of their respective Companies.

The Liveries.

A Company is a Brotherhood of Tradesmen, professing the same Art, governed, according unto their Charter, by a Master and Wardens: Of these there be a matter of sixty, whereof twelve are of greater dignity then the rest, that is to say the Mercers, Grocers, Drapers, Fishmongers, Gold-Smiths, Skinners, Merchant-Taylors, Haberdashers, Salters, Ironmongers, Vintners, Cloth-workers, which with most of the rest have common Halls, divers of them being of antient and magnificent Structure, wherein they have frequent meetings at the summons of their Masters, or Wardens, for the managing and regulation of their respective Trades and Mysteries. These Companies; as I shall shew, are the roots of the whole Government of the City: for the Liveries that reside in the same ward, meeting at the Wardmot inquest, unto which it belongeth to take cognizance of all sorts of moysances, and violations of the customs and Orders of the City, and to present them unto the Court of Aldermen; have also power to make election of two sorts of Magistrates or Officers; the first of Elders or Aldermen of the ward; the second of Deputies of the same, otherwise called Common-Council men.

The Companies.

Common Halls.

The wards in these Elections, because they do not elect all at once, but some one yeare, and some another, observe the distinction of the three Tribes; for example, the Scazon consisting of ten Tribes, maketh

Election of Aldermen and of the Common Councill men.

maketh election the first yeare of ten Aldermen, one in each ward, and of one hundred and fifty Deputies, fiftene in each ward: all which are Trienniall Magistrates or Officers, that is to say, are to beare their dignity for the space of three years.

The second year, the Metoche, consisting of eight wards electeth eight Aldermen, one in each ward; and an hundred and twenty Deputies, fifteen in each ward; being also Trienniall Magistrates.

The third yeare Telicouta, consisting of a like number of wards, electeth an equall number of like Magistrates for a like terme: So that the whole number of the Aldermen, according unto that of the wards, amounteth unto twenty-six; and the whole number of the Deputies, unto three hundred and ninety.

The Court of Aldermen.

The Aldermen thus elected have divers capacities; for first, they are Justices of the Peace, for the term, and by consequence of their election; secondly, they are Presidents of the Wardmot, and Governours, each of that ward, whereby he was elected; and last of all these Magistrates being assembled together, constitute the Senate of the City, otherwise called the Court of Aldermen: but no man is capable of this election, that is not worth ten thousand pounds: this Court upon every new Election maketh choice of censors out of their own number.

The Common-Council.

The Deputies in like manner being assembled together, constitute the Prerogative Trike of the City; otherwise called, the Common-Council: by which meanes the Senate and the People of the City were caught in as it were by the rapture of the Nationall Government, to the same wheele of annuall, trienniall, and perpetuall revolution.

The Common-Hall.

But the Liveries over and above the right of these elections by their divisions mentioned; being assembled alltogether at the Guild of the City, constitute an other Assembly called the Common-Hall.

The Election of the Lord Maior and Sheriffs.

The Common-Hall hath right of two other elections; the one of the Lord Mayor, and the other of the two Sheriffs being annuall Magistrates. The Lord Mayor can be elected out of no other then one of the twelve Companies of the first ranks, and the Common Hall agreeth by the plurality of Suffrages upon two names; which being preferred unto the Lord Mayor, for the time being, and the Court of Aldermen: they elect one by their scrutiny, for so they call it, though it differ from that of the Common-wealth: The Orator or Assistant unto the Lord Mayor in the holding of his Courts is some able Lawyer elected by the Court of Aldermen, and called the Recorder of Emporium.

The Lord Major being thus elected, hath two capacities; the one regarding the Nation, the other the City: in that which regards the City, he is President of the Court of Aldermen, having power to assemble the same, or any other Council of the City, as the Common-Councill or Common-Hall, at his will and pleasure; and in that which regards the Nation, he is Commander in Chief, of the three Tribes, whereinto the City is divided; one of which he is to bring up in person at the Nationall Muster unto the Ballot; as his Vice Comites, or High-Sheriffs, are to do by the other two, each at their distinct pavilion, where the nine Aldermen elected Censors, are to officiate by three in each Tribe, according unto the Rules and Orders already given unto the Censors, of the rustick Tribes: And the Tribes of the City have no other then one common Phylarch, which is the Court of Aldermen, and the Common-Councill; for which cause they elect not at their muster the first Liste called the Prime Magnitude.

The Conveniences of this alteration of the City Government, besides the bent of it unto conformity with that of the Nation, were many; whereof I shall mention but a few, as first, whereas men under the former administration, when the burden of some of these Magistracies, lay for life, were oftentimes chosen not for their fitnessse, but rather unfitnessse; or at least unwillingnesse to undergo such a weight, whereby they were put at great rates to sine for their ease; a man might now take his share in Magistracy, with that equity which is due unto the publick, and without any great inconvenience unto his private affaires. Secondly, whereas the City, in as much as the Acts, of the Aristocracy or Court of Aldermen in their former way of proceeding, were rather Impositions, then Propositions, was frequently disquieted, with the inevitable consequence, in the power of debate exercised by the popular part or Common-Councill; the right of debate being hence forth established in the Court of Aldermen and that of result in the Common-Councill, killed the branches of division in the root, which for the present may suffice to have been said of the City of Emporium.

Some conveniences in this alteration.

That of Hiera consisteth as to the Nationall Government of two Tribes, the first called Agoræa, the second Propola: but as to the peculiar Policy of twelve Maniples, or wards divided into three cohorts each cohort containing four wards, whereof the wards of the first cohort elect for the first yeare four Burgeses, one in each ward; the wards of the second cohort, for the second yeare four Burgeses, one in each ward; and the wards of the third cohort for the third yeare foure Burgeses, one in each ward; all trienniall Magistrates: by which the twelve Burgeses, making one Court for the Government of this City, according unto their instructions by act of Parliament, fall likewise into an annual, triennial, and perpetuall revolution.

The Government of Hiera.

The Court,

This

The High
Steward.

This Court being thus constituted, maketh election of diverse Magistrates; as first of an High Steward, who is commonly some person of quality, and this Magistracy is elected in the Senate by the scrutiny of this Court; unto him they choose some able Lawyer to be his Deputy, and to hold the Court; and last of all they elect out of their own number six Censors.

The High Steward is Commander in Chief, of the two Tribes, whereof he in person bringeth up the one at the Nationall Muster unto the Ballot, and his Deputy the other, at a distinct pavilion; the six Censors chosen by the Court officiating by three in each Tribe at the Urnes, and these Tribes have no other Phylarch, but this Court.

As for the manner of elections, and suffrage both in Emporium and Hiera, it may be said once for all, that they are performed by the Ballott, and according unto the respective rules already given.

There be other Cities and Corporations throughout the territory, whose Policy being much of this kind, would be tedious and not worth the labour to insert, nor dare I stay. Juvenum manus emicat ardens.

I returne with the method of the Common-wealth, unto the remaining part of her Orbes, which are military and provincially: the military except the Strategus, and the Polemarchs or feild Officers consisting of the youth only, and the Provincially consisting of a mixture, both of the Elders and of the Youth.

To begin with the Youth, or the military Orbes, they are Circles unto which the Common-wealth must have a Care to keep close; A man is a Spirit raised up by the Magick of Nature; if she doe not stand safe, and so that she may set him to some good and usefull work, he sets fire, and blowes up Castles; for where there is life, there must be motion or work and the work of idlenesse is mischief, (*Non omnibus dormit*) But the work of industry is health. To set men unto this; the Common-wealth must begin early with them, or it will be too late: and the meanes wherby she sets them unto it, is education; the Plattick art of government. But it is as frequent as sad in experience, whether through negligence, or which in the consequence is all one, or worse, overfondnesse in domestick performance of this Duty, that innumerable Children come to owe their utter Perdition unto their own Parents; in each of which, the Commonwealth loseth a Citizen; Wherefore the Lawes of a Government how wholesome soever in themselves, being such as if men by a congruity in their Education be not brought up to find a relish in them, they

they will spit at: The education of a mans Children is not wholly to be committed or trusted unto himself. You find in Livy the Children of *Brutus*, having been bred under Monarchy, make faces at the Common-wealth of Rome, *A King* (say they) *is a Man, you may prevaile with him when you have need there should be Law, or when you have need there should be no Law. He hath favours in the right, and he frowns not in the wrong place; he knowes his friends from his Enemies. But Lawes are deafe inexecutable things, such as make no difference between a Gentlemen and an ordinary fellow: a Man can never be merry for them, for to trust altogether to his own innocence is a sad Life: unhappy wanton!* *Scipio* (on the other side) when he was but a Boy (some two or three and twenty) being informed that certaine Patricians, or Roman Gentlemen, through a qualme upon the defeate which *Haniball* had given them at *Canna*, were laying their heads together and contriving their Flight with the transportation of their goods out of Rome; drew his sword and setting himself at the doore of the Chamber where they were at Council, protested, *That who did not immediately sweare, not to desert the Common-wealth he would make his Soul to desert his Body.* Let men argue as they please for Monarchy, or against a Common-wealth, the world shall never see any man so sottish or wicked as (in cool blood) to preferre the education of the Sons of *Brutus*, before that of *Scipio*; and of this mould, except a *Melius* or a *Manlius* was the whole youth of that Common-wealth though not ordinarily so well cast. Now the health of a Government, and the education of the youth being of the same pulse, no wonder if it have been the constant practize of well order'd Commonwealths to commit the Care and feeling of it unto publique Magistrates. A duty that was performed in such manner by the *Areopagites*, as is elegantly praised by *Isocrates*. The Athenians, saith he, write not their Lawes upon dead Walls, nor content themselves with having ordained punishments for Crimes, but provide in such manner by the education of their youth, that there be no Crimes for punishment: he speakes of those Lawes which regarded manners, not of those orders which concerned the administration of the Commonwealth, least you should think he contradicts *Xenophon* and *Polibius*. The Children of *Lacedemon*, at the seaventh year of their Age, were delivered unto the *pædonomi*, School-Masters, not Mercenary but Magistrates of the Commonwealth, unto which they were accomptable for their charge: by these at the age of fourteen they were preferr'd unto other Magistrates called the *Beidiei*, having the inspection of the Games, and exercises, among which that of the *Platanista* was famous, a kind of Fight in squadrons, but some-

what too fictice; when they came to be of military age, they were listed of the *Mora*, and so continued in readiness for publique Service under the Discipline of the *Pilemarches*. But the Roman Education and Discipline by the *Centurys* and *Classes* is that unto which the Commonwealth of *Oceana* hath had a more concerned eye in her three Essays, being certain degrees by which the youth commence as it were in Armes for Magistracy, as appears by

26. Ord.

The Twenty Sixth Order, instituting that if a Parent have but one Sonne, the Education of that one Sonne shall be wholly at the disposing of that Parent, but (whereas there be Free-Schools erected and indow'd, or to be erected and indow'd in every Tribe of this Nation, to a sufficient proportion for the Education of the Children of the same; which Schooles, to the end that there be no detriment or hindrance unto the Schollers upon ease of removing from one unto another, are every of them to be Governed by the strict inspection of the Censors of the Tribes, both upon the Schol-Masters their manner of life and teaching, and the Proficiency of the Children; after the Rules and method of that in Hiera). If a Parent have more Sons than one, the Censors of the Tribes shall animadvert upon and punish him that sendeth not his Sons within the ninth yeare of their age unto some one of the Schooles of a Tribe, there to be kept and taught if he be able at his Charges, and if he be not able, Gratis till they arrive at the age of fifteen yeares. And a Parent may dispose of his Sons at the fifteenth yeare of their age, according unto his choice or ability, whether it be unto Service in the way of Apprentices unto some Trade, or otherwise, or unto farther study, as by sending them unto the Inns of Court, of Chancery, or unto one of the Universities of this Nation; but he that taketh not upon him some one of the Professions proper unto some one of those places, shall not continue longer in any of them till they have attained unto the age of eighteen yeares; and every man having not at that age of 18. yeares taken upon him, or addicted himselfe unto the profession of the Law, Theology, or Physick; and being no Servant, shall be capable of the Essay of the youth, and no other Person whatsoever; except a man having taken upon him such a Profession, happen to lay it by, ere he arrive at three or four and twenty yeares of age, and be admitted unto this Capacity by the respective Phylarch, being satisfied that he kept

not

not out so long with any designe to evade the service of the Common-wealth, but that being no sooner at his own disposing it was no sanct at his own choice to come in. And if any Youth or other Person of this Nation have a desire to travell into Forraigne Countries upon occasion of businesse, delight, or farther improvement of his Education; the same shall be lawfull for him upon a passe obtained from the Censors in Parliament, putting a convenient limit unto the time, and recommending him unto the Embassadors by whom he shall be assisted, and unto whom he shall yield honour and obedience in their respective residences. Every Youth at his returne from his travell, is to present the Censors with a Paper, of his own writing, containing the interest of State or forme of Government of the Countries or some one of the Countries where he hath been; and if it be good, the Censors shall cause it to be printed and published, prefixing a Line in Commendation of the Author.

Every Wednesday, next ensuing the last of December, the whole Youth of every Parish, that is to say every man (not excepted by the foregoing part of the Order) being from eighteen yeares of age to 30. shall repaire at the sound of the Bell unto the respective Church, and being there assembled in presence of the overseers, who are to governe the Ballot, and the Constable who is to officiate at the Urne, shall after the manner of the Elders, elect every fifth man of their whole number, (provided that they chuse not above one of two Brothers at one Election, nor above halfe if they be foure or upward) to be a Stratiot or Deputy of the Youth; And the list of the Stratiots so elected being taken by the overseers shall be entred in the Parish Book; and diligently preserved as a record, called the first List. They whose estates by the Law are able, or whose Friends are willing to mount them, shall be of the Horse, the rest are of the Foot. And he who hath been one yeare of this list is not capable of being re-elected till after one yeares interball.

Every Wednesday, next ensuing the last of January, the Stratiots being Mustred at the Rendezvous of their respective hundred, shall in the presence of the Jury-men; who are overseers of that Ballot, and of the High-Constable who is to officiate at the Urne, elect out of the Horse of their Troop, or Company one Captain, and one Ensigne or Cornet, unto the Command of the same; And the Jury-men having entred the List of the Hundred into a Record to be dili-

gently kept at the Rendezvous of the same; the first publique Game of this Commonwealth shall begin and be performed in this manner. Whereas there is to be at every Rendezvous of an Hundred, one Cannon, Culverin, or Sakre; The prize Armes, being forged by two or three Armourers of this Commonwealth; and for their proof, besides their beauty, viewed and tryed at the Tower of Emportum, shall be exposed, by the Justice of Peace appoynting unto that Hundred; the said Justice, with the Jury-men being Judge of the Game: And the Judges shall deliver unto the Horse-man that gaines the Prize at the carrier, one suite of Armes being of the value of twenty pounds: Unto the Pikeman that gaines the Prize at throwing the Ballet, one suit of Armes of the value of ten pounds: Unto the Pusquetier that gaines the Prize at the Park with his Pusquet, one suite of Armes of the value of ten pounds; And unto the Canonier that gaines the Prize at the Parke with the Cannon, Culverin, or Sakre, one Chaîne of Silber being of the value of ten pounds. Provided, that no one Man at the same Muster play above one of the Prizes. Whosoever gaineth a Prize is bound to weare it (if it be his lot) upon Service; and no man shall sell, or give away an Armour thus won, except he have lawfully attained unto two or more of them, at the Games.

The Games being ended, and the Muster dismiss, the Captaine of the Troop, or Company shall repaire with a Copy of the List unto the Lord Lieutenant of the Tribe, and the High-Constable with a Duplicate of the same unto the Custos Rotulorum, or Muster-Master General, to be also communicated with the Censors, in each of which the Jury-men giving a note upon every name of an only Son shall certify that the List is without subterfuge or evasion; or, if it be not, upon whom the evasion or subterfuge lyeth, unto the end that the Phylarch or the Censors may amadvert accordingly.

And every Wednesday next ensuing the last of February, the Lord Lieutenant, Custos Rotulorum, the Censors and the Conductor shall receive the whole Muster of the Youth of that Tribe at the Rendezvous of the same, distributing the Horse and Foot with their Officers, according unto the directions given in the like case for the distribution of the Elders, and the whole Squadron being put by that meanes in Batallia; the second Game of this Commonwealth shall begin, by the exercise of the Youth in all the parts of their military discipline according unto the Orders of Parliament, or direction of the Council of Warre in that Case: And the hundred pounds allowed by the Parliament for the ornament of the Muster in every Tribe shall

shall be expended by the Phylarch, upon such artificiall Castles, Citadels, or like devices, as may make the best and most profitable sport for the Youth and their Spectators. Which being ended, the Censors having prepared the Urnes by putting into the Horse Urne, 220. Gold Balls, whereof ten are to be marked with the Letter M. and other ten with the Letter P. Into the Foot Urne, 700. Gold Balls, whereof ; 50. are to be marked with the Letter M. and 50. with the Letter P. and made up the Gold Balls in each Urne by the addition of Silver Balls unto the same, in number equall with the Horse and Foot of the Stratiots: the Lord Lieutenant shall call the Stratiots unto the Urnes, where they that draw the Silver Balls shall returne unto their Places; and they that draw the Gold Balls shall fall off to the pavilion, where, for the space of one houre they may chopp and change their Balls according as one can agree with another, whose Lot he likes better; but the houre being out the conductor separat- ing them, whose Gold Balls have no letter, from those whose Balls are marked; shall cause the Crier to call the Alphabet, as first A. whereupon all they whose Gold Balls are not marked, and whose surnames begin with the Letter A. shall repaire unto a Clerk appertayning unto the Custos Rotulorum, who shall first take the names of that Letter: then those of B. and so forth, till all the names be Alphabetically enrolled; and the Youth of this List being six hundred in a Tribe Foot, that is 30000 Foot in all the Tribes; and two hundred in a Tribe Horse, that is 10000. Horse in all the Tribes, are the second Class of the Stratiots, and the standing Army of this Commonwealth to be alwaies ready upon Command to march. They whose Balls are marked with M. amounting by 20 Horse, and 50. Foot in a Tribe unto 2500 Foot and 500. Horse in all the Tribes; And they whose Balls are marked with P. in every point correspondent are parts of the third Class; they of M. bring forthwith to march for Parpelia and they of P. for Panopea, to the ends and according to the further directions following in the order for the Provinciaall Drbs.

If the Polemarchs, or Field Officers be elected by the Scrutiny of the Council of Warr, and the Strategus Commanded by the Parliament or the dictator to march, the Lords Lieutenants (who have power to Muster and Discipline the Youth so often as they receive Orders for the same from the Council of Warr,) are to deliver the second Class, or so many of them as shall be Commanded unto the Conductors, who shall present them unto the Lord Strategus at the time and place appointed by his Excellency to be the Generall Rendezvous

debonze of Oceana where the Council of Warr shall have the accommodation of Horses and Armes for his men in readinesse, and the Lord Strategus, having armed, mounted, and distributed them, whether according unto the recommendation of their Prize Armes, or otherwise; shall lead them away unto his Shipping, being also ready, and provided with Victualls Ammunition, Artillery and all other necessarys, commanding them, and disposing of the whole conduct of the Warr by his sole power and authority: and this is the third Essay of the Stratiots, which being Shipp'd, or march'd out of their Tribes, the Lords Lieutenants shall re-elect the second Essay out of the remaining part of the first; and the Senate another Strategus:

If any veterane or veteranes of this Nation, the terme of whose Youth, or militia is expired, having a desire to be entertained in the further Service of the Commonwealth shall present him or themselves at the Rendezon of Oceana, unto the Strategus, it is in his power to take on such and so many of them as shall be consented unto by the Polemarchs, and to send back an equal number of the Stratiots.

And for the better managing of the proper Forces of this Nation the Lord Strategus by appointment of the Council of Warr, and out of such Levies as they shall have made in either or both of the Provinces, unto that end, shall receive Auxiliaries at Sea, or elsewhere at some certaine place, not exceeding his proper Armes, in number.

And whosoever shall refuse any one of his three Essays, except upon cause shewn he be dispensed withall by the Phylarch, or if the Phylarch be not assembled, by the Censors of his Tribe, shall be deemed an Idiot or publique Servant, pay one fifth of his yearly revenue besides all other Taxes unto the Commonwealth for his Protection, and be incapable of bearing Magistracy except such as is proper to the Law. Nevertheless if a man have but two Sons, the Lord Lieutenant shall not suffer above one of them to come unto the Urne at one election of the second Essay: and though he have above two Sons, there shall not come above halfe the Brothers at one Election; and if a man have but one Son, he shall not come unto the Urne at all without the consent of his Parents; or his Guardians nor shall it be any reproach unto him, or impediment unto his bearing of Magistracy.

This for Expeditions that are Forraigne will be proved, and explained together with

The Twenty Seaventh Order, Providing in case of invasion apprehended, that the Lords High-Sheriffs of the Tribes upon Com- 27. Ord:
mands received from the Parliament, or the Dictator, distribute the bands of the Elders into divisions after the nature of the Claves of the Pouth, and that the second division or Clave of the Elders being made and consisting of 30000 Foot, and 10000 Horse be ready to march with the second Clave of the Pouth, and be brought also by the Conductors unto the Strategus.

The second Clave of the Elders and Pouth being marcht out of their Tribes, the Lords High-Sheriffs and Lieutenants shall have the remaining part of the annuall Bands; both of Elders and Pouth in readinesse, which if the Beacons be fired, shall march unto the Rendezvous to be in that case appointed by the Parliament or the Dictator, and the Beacons being fired, the Curiata Comitia or Parochiall Congregations shall elect a fourth, both of Elders and Pouth to be immediately upon the Guard of the Tribes, and dividing themselves as aforesaid to march also in their divisions according unto Orders, which method in case of extremity shall proceed unto the election of a third, or the leavy of a second, or of the last man in the Nation, by the power of the Lords High-Sheriffs; to the end that the Commonwealth in her utmost pressure may shew her trust that God in his justice will remember mercy; by humbling her selfe; and yet preserving her courage, discipline and constancy, even unto the last drop of her blood, and the utmost farthing.

The Services performed by the youth, or by the Elders in case of Invasion, and according unto this Order, shall be at their proper cost and charges that are any wayes able to indure it, but if there be such as are known in their Parishes to be so indigent that they cannot march out of their Tribes, nor undergoe the burden, in this case incumbent, the Congregations of their Parishes shall furnish them with sufficient summes of money to be repay'd upon the Certificate of the same by the Parliament when the action shall be over. And of that which is respectively enjoyn'd by this Order, any Tribe, Parish, Magistrate, or Person that shall faile, is to answer for it at the Council of Warre, as a Desertor of his Country.

The *Archon* being the greatest Captain of his, (if not of any) Age, added much unto the Glory of this Commonwealth, by interweaving the *Militia* with more Art and Lustre than any Legislator from, or before, the time of *Servius Tullius*. But as the bones or Skeleton of a man, though the greatest part of his beauty be contained in their proportion or Symmetry, yet shewn without flesh, are a spectacle that is rather horrid; so without Discourses, the Orders of a Commonwealth: which if she go forth in that manner, may complain of her friends that they stand mute, and staring upon her: Wherefore this Order was thus fleshed by the *Archon*:

My Lords,

Cicero. **D***io*genes, seeing a young Fellow drunk, told him that his Father was drunk when he begot him: For this in natural, I must confesse I see no reason; but in Political Generation, it is right: The Vices of the People are from their Governours. Those of their Governours, from their Lawes or Orders; and those of their Lawes or Orders, from their Legislators. (*Ut malè posuimus initia, sic cetera sequuntur*;) What ever was in the womb imperfect as to her proper work, comes very rarely, or not at all to perfection: And the formation of a Citizen in the Womb of the Commonwealth, is his Education.

Education by the first of the foregoing Orders is of Six kinds; At the School; in the Mechannicks, at the Universities, at the Innes of Court or Chancery, in Travels, and in Military Discipline: Some of which I shall touch, and some I shall handle.

That which is proposed for the erecting, and endowing of Schools throughout the Tribes capable of all the Children of the same, and able to give unto the Poor the Education of theirs *Gratis*, is only matter of direction in a case of very great Charity, as easing the needy of the Charge of their Children from the Ninth to the Fifteenth year of their Age; during which time their work cannot be profitable, and restoring them

them when they may be of use, furnished with tooles, whereof there be advantages to be made in every work, seeing he that can read, and use his pen, hath some convenience by it in the meanest Vocation; and it cannot be conceived, but that which comes (though in small parcels) to the advantage of every Man in his Vocation, must amount unto the advantage of every Vocation; and so unto that of the *Common-wealth*. Wherefore this is commended unto the Charity of every wise-hearted, and well-minded man to be done in time; and as GOD shall stir him up or inable him: there being such provision already in the Case, as may give us leave to proceed without obstruction.

Parents (under animadversion of the *Censors*) are to dispose of their Children at the fifteenth year of their Age unto something; but what, is left, according to their abilities or inclination, in their own Choice: This, with the Many, must be unto the Mechanicks, that is to say, unto Agriculture or Husbandry; unto Manufactures; or unto Merchandize.

Agriculture is the Bread of the Nation, we are hung upon it by the teeth; it is a mighty Nursery of Strength, the best Army, and the most assured Knap sack; it is managed with the least turbulent or ambitious, and the most innocent hands of all other Arts. Wherefore I am of *Aristotle's* opinion, That a Common-wealth of Husband-men (and such is ours) must be the best of all others. Certainly, my Lords, you have no measure of what ought to be, but what can be done for the encouragement of this Profession: I could wish I were Husband good enough to direct something to this end; but racking of Rents is a vile thing in the richer sort, an uncharitable one to the poorer; a mark of slavery, and nips your Common-wealth in the fairest Blossom: On the other side, if there should be too much ease given in this kind, it would occasion Sloath, and so destroy Industry the nerve of a Commonwealth. But if ought might be done to hold the ballance even between these two, it would be a Work in this Nation equally

unto that for which *Fabius* was call'd *Maximus* by the Romans.

In *Manufactures* and *Merchandize* the *Hollander* hath gotten the start of us; but at the long-run it will be found, that a People Working upon a Forraign Commodity, doth but firm the Manufacture, and that it is entailed upon them only, where the growth of it is native: As also that it is one thing to have the Carriage of other mens Goods, and another for a man to bring his own unto the best market. Wherefore Nature having provided encouragement for these Arts in this Nation above others, where the people growing, they of necessity must also increase, it cannot but establish them upon a far more sure and effectual Foundation then that of the *Hollanders*. But their *Educations* are in order unto the first things or necessities of nature; as *Husbandry* unto the Food; *Manufacture* unto the Clothing; and *Merchandize* unto the Purse of the Common-wealth.

Cicero.

There be other things in Nature, which being second as to their Order, for their dignity and value are first, and such to which the other are but Accommodations; of this sort are especially these, *Religion, Justice, Courage, wisdom*.

The Education that answers unto *Religion* in our Government is that of the *Universities*. *Moses* the Divine Legislator was not only learned in all the Learning of the *Egyptians*, but took into the Fabrick of his Common-wealth the Learning of the *Midianites* in the advice of *Jethro*; and his Foundation of an University laid in the Tabernacle, and finish'd in the Temple, became that Pinnacle from whence all the Learning in the World hath taken wing; as the *Philosophy* of the *Stoicks*, from the *Pharisees*; that of the *Epicureans*, from the *Sadduces*; and from the Learning of the *Jews*, so often quoted by our SAVIOUR, and fulfilled in Him, the Christian Religion. *Athens* was the most famous University in her dayes and her Senators, that is to say, the *Arcopagites* were all Philosophers.

Acts 17.
18.

Lacedemon

Lacedemon (to speak truth) though she could write and read, was not very bookish. But who disputerh hence against Universities, disputeth in the same Argument against *Agriculture*, *Manufacture*, and *Merchandize*, every one of these having been equally forbidden by *Lycurgus*, not for it self, (for if he had not been Learned in all the Learning of *Crete*, and well travell'd in the knowledge of other Governments, he had never made his Common-wealth) but for the diversion which they must have given his Citizens from their Arms, who being but few, if they had minded any thing else, must have deserted the Common-wealth. For *Rome*, she (had *ingenium par imperio*) was as Learned as Great, and held her Colledge of *Augurs* in much reverence. *Venice* hath taken her Religion upon trust: *Holland*, cannot tend it to be very studious: Nor doth *Switz* mind it much; yet are they all addicted unto their Universities. We cut down Trees to build Houses, but I would have some body shew me, by what reason or experience, the cutting down of an University, should tend unto the setting up of a Common-wealth. Of this I am sure, the perfection of a Common-wealth is not to be attained unto without the knowledge of ancient Prudence; nor the knowledge of ancient prudence without Learning; nor Learning without Schools of good Literature; and these are such as we call Universities. Now though meer University-Learning of it self, be that which (to speak the words of *Verulamius*) *Crafty men contemn, and simple men onely admire, yet is it such as wise men have use of; for Studies do not teach their own use, but that is a wisdom without; and above them, won by observation. Expert men may execute, and perhaps judge of particulars one by one; but the general Counsels and the plots; and the marshalling of affairs, come best from those that are learned.* Wherefore if you would have your children to be Statesmen, let them drink by all means of these Fountains, where perhaps there was never any. But what though the water a man drinks be not nourishment? it is the *vehiculum* without which he cannot be nourished. Nor is Religion lesse concerned in this point than Government; For

take away your *Universities*, and in a few years you lose it.

The Holy Scriptures are written in Hebrew and in Greek; they that have neither of these Languages may think leight of both; But find me a man that hath one in perfection, the study of whose whole Life it hath not been. Again, this is apparent to us in daily Conversation, that if four or five Persons that have lived together be talking, another speaking the same Language may come in, and yet understand very little of their Discourse, in that it relateth unto Circumstances, Persons, Things, Times and Places which he knoweth not. It is no otherwise with a Man, having no insight of the times in which they were written, and the Circumstances unto which they relate, in the reading of ancient Books, whether they be Divine or humane. For example, when we fall upon the discourse about Baptisme and Regeneration, that was between our *Saviour* and *Nicodemus*, where *Christ* reproacheth him of his Ignorance in this manner: *Art thou a Doctor in Israel, and understandest not these things?* What shall we think of it? or, Wherefore should a Doctor in Israel have understood these things more then another, but that both *Baptisme* and *Regeneration* (as was shewed at large by my Lord *Phosphorus*) were Doctrines held in *Israel*? Instance in one place of a hundred, which he that hath not mastered the circumstances unto which they relate, cannot understand. Wherefore to the understanding of the Scripture, it is necessary to have ancient Languages, and the knowledge of ancient times, or the ayd of them who have such knowledg: and to have such as may be alwaies able and ready to give such ayd, (unlesse you would borrow it of another Nation, which would not only be base, but deceitful) it is necessary unto a Common-wealth that She have Schools of good Literature, or Universities of her own. We are Commanded (as hath been said more then once) to search the Scriptures; And whether do they search the Scriptures that take this pains in ancient Languages and Learning? or they that will not, but trusting unto Translations onely, and to words as they sound unto present Circumstances? than which
nothing

nothing is more fallible, Or certain to lose the true sense of Scriptures, pretend to be above humane understanding, for no other cause then that they are below it? But in searching the Scriptures by the proper use of our Universities; we have been heretofore blessed with greater Victories and Trophies against the purple Hosts, and golden Standards of the Romish Hierarchy, than any Nation; and therefore, why we should relinquish this upon the presumption of some, that because there is a greater Light they have it, I do not know. There is a greater Light then the Sun, but it doth not extinguish the Sun; nor doth any Light of GOD's giving extinguish that of Nature, but encrease and Sanctifie it. Wherefore, neither the honour borne by the *Israelitish*, Roman, nor any other Commonwealth that I have shewn, unto their Ecclesiasticks consisted in being governed by them, but in consu'ting them in matter of Religion; upon whose *responsa*, or Oracles, they did afterwards as they thought fit. Nor would I be mistaken, as if by affirming the Universities, to be in order both unto Religion and Government, of absolute necessity, I declared them or the Ministry, in any wise fit to be trusted so far as to exercise any power not derived from the civill Magistrate, in the administration of either. If the Jewish Religion were directed and established by *Moses*, it was directed and established by the civill Magistrate; or if *Moses* exercised this administration as a Prophet, the same Prophet did invest with the same administration; the *Sanhedrim*, and not the Priests; and so doth our Commonwealth, the Senate and not the Clergy. They who had the supreme Administration or Government of the Nationall Religion in *Athens*; were the first *Archon*, the (*Rex Sacrificum*, or) High Priest, and Polemarch; which Magistrates were ordained or elected, (*per Xeporotian*) by the holding up of Hands; in the Church, Congregation, or *Comitia* of the People. The Religion of *Lacedemon* was governed by the Kings, who were also high Priests; and officiated at the sacrifice; these had power to substitute their

their *Pythii*, Embassadors or Nuncios by which not without concurrence of the Senate they held intelligence with the Oracle of *Apollo* at *Delphos*. And the Ecclesiasticall part of the Commonwealth of *Rome* was governed by the *Pontifex Maximus*, the *Rex Sacrifculus*, and the *Flamini*, all ordained or elected by the people, the *Pontifex*, *Tributis*; the King, *Centuriatis*; and the *Flamines* or Parish Priests, *Curiatis Comitibus*. I do not mind you of these things, as if for the matter there were any parallel to be drawn out of their superstitions to our Religion; but to shew that for the manner, ancient prudence is as well a rule in divine as humane things; nay, and such an one as the Apostles themselves, ordaining Elders by the holding up of hands in every Congregation, have exactly follow'd; for some of the Congregations where they thus ordained Elders were those of *Antioch*, *Iconium*, *Lystra*, *Derbe*, the Country of *Lycaonia*, *Pisidia*, *Pamphylia*, *Perga*, with *Attalia*. Now that these Cittys and Countrys when the *Romans* propagated their Empire into *Asia*, were found most of them Commonwealths, and that many of the rest were indued with like power; so that the people living under the protection of the *Romane* Emperors, continued to the elect their own Magistrates, is so known a thing; that I wonder whence it is, men quite contrary unto the universall proof of these examples, will have Ecclesiasticall Government to be necessarily distinct from civill power, when the right of the Elders ordained by the holding up of hands in every Congregation, to teach the people, was plainly derived from the same civill power by which they ordained the rest of their Magistrates. And it is no otherwise in our Commonwealth; where the Parochiall Congregation electeth or ordaineth her Pastor. To object the Commonwealth of *Venice* in this place were to shew us that it hath been no otherwise, but where the civill power, hath lost the liberty of her Conscience by embracing of Popery: as also that to take away the liberty of conscience in this administration from the civill power, were a proceeding which hath no other president, than
such

such as is Popish. Wherefore your Religion is thus settled; the Universities are the seminaries of that part which is nationall; by which meanes others withall safely may be permitted to follow the liberty of their consciences, in regard that however they behave themselves, the ignorance of the unlearned in this case cannot lose the religion, nor disturb the Government; which otherwise it would most certainly do; and the universities with their Emoluments, as also the Benefices of the whole Nation are to be improved by such Augmentations, as may make a very decent and comfortable subsistence for the Ministry, which is neither to be allow'd Synods nor Assemblies, (but upon the occasion shewn in the Universities, they are consulted by the Councill for Religion, suffered to meddle with affaires of State) nor to be capable of any other publick preferment whatsoever; by which means the interest of the learned can never come to corrupt your Religion, nor disturb your Government; which otherwise it would most certainly do. *Venice*, though she do not see, or cannot help the corruption of her Religion, is yet so circumspect to avoid disturbance in this kind of her Government, that her Council proceeds not unto election of Magistrates, till it be proclaimed, *Fora Papalini*, by which words such as have consanguinity with red hats, or relation unto the Court of *Rome*, are warned to withdraw. If a Minister in *Holland* meddle with matter of State, the Magistrate sendeth him a pair of *shoes*, whereupon if he do not go, he is driven away from his charge. I wonder why Ministers of all men should be perpetually tampering with Government, first because they as well as others have it in expresse charge to submit themselves unto the Ordinances of men; and secondly, because these Ordinances of men must go upon such Politicall Principles; as they of all others (by any thing that can be found in their writings or actions) least understand: whence you have the suffrage of all Nations unto this sense: An ounce of wisdom is worth a pound of Clergy: Your greatest Clerks are not your wisest men: and when some foul absurdity in State is committed, it

is common with the *French*, and even the *Italians*, to call it *Pas de Clerc*, or, *Governo du Prete*. They may bear with men that will be preaching without study, while they will be governing without Prudence. My *Lords*, if you know not how to rule the Clergy, you will most certainly be like a man that cannot rule his Wife; have neither quiet at home, nor honour abroad. Their honest Vocation is to teach your Children at the Schools and the Universities, and the people in the Parishes; and Yours is concern'd to see that they do not play the shrewes: of which parts consists the Education of your Common-wealth, so far forth as it regards Religion.

To *Justice*, or that part of it which is commonly executive, answers the Education of the *Inns of Court*, or *Chancery*. Upon which (to Philosophize) requires a peculiar kind of Learning that I have not. But they who take upon them any Profession proper unto the Educations mentioned, that is, *Theology*, *Physick*, *Law*, are not at leisure for the Essays: Wherefore the Essays being Degrees, whereby the Youth Commence for all Magistracies, Offices and Honours in the Parish, Hundred, Tribe, Senate, or Prerogative; *Divines*, *Physicians*, and *Lawyers*, not taking these Degrees, exclude themselves from all such Magistracies, Offices, and Honours. And whereas *Lawyers* are likeliest to exact farther reason for this: They growing up from the most gainful Art at the Barr, unto those Magistracies upon the Bench, which are continually appropriated to themselves; and not onely endowed with the greatest Revenues, but held for life; have the least reason of all the rest to pretend unto any other; Especially in an equal Commonwealth, where Accumulation of Magistracy, or to take a Person engaged by his Profit unto the Lawes as they stand, into the Power which is Legislative, and should keep them unto what they were, or ought to be, were a *Solæcisme* in Prudence. It is true, that the Legislative power may have need of Advice and Assistance from the executive Magistracy, or such as are learned in the Law; for which Cause the *Judges* are, (as they have

have heretofore been) Assistants in the Senate. Nor, however it came about, can I see any reason why a Judge, being but an Assistant, a Lawyer, should be a member of a Legislative Council.

I deny not, that the *Roman Patricians* were all Patrons, and that the whole People were Clients, some unto one family, and some unto another, by which means they had their Causes pleaded and defended in some appearance *gratis*; for the Patron took no money; though if he had a daughter to marry, his Clients were to pay her portion: nor was this so much. But if the Client accused his Patron, gave testimony or Suffrage against him, it was a crime of such nature, that any man might lawfully kill him as a Traytor: and this, as being the nerve of the *Optimacy*, was a great cause of ruine unto that Common-wealth: for when the people would carry any thing that pleased not the *Senate*, the Senators were ill provided if they could not intercede, that is, oppose it by their Clients; with whom, to vote otherwise then they pleased, was so high a Crime. The observation of this bond till the time of the *Gracchi* (that is to say, till it was too late, or to no purpose; to break it) was the cause, why in all the former heats and disputes that had happened between the Senate and the People, it never came to blowes; which was good: but withall, the people could have no remedy, which was Evil: Wherefore I am of opinion, that a Senator ought not to be a Patron or Advocate; nor a Patron or Advocate to be a Senator; for if his practice be *gratis*, it debaucheth the people; and if it be mercenary, it debaucheth himself: take it which way you will, when he should be making of Lawes, he will be knitting of Nets.

Lycurgus, as I said, by being a Traveller, became a Legislator; but, in times, when Prudence was another thing: Nevertheless we may not shut out this part of *Education*, in a Common-wealth which will be her Self a Traveller; for those of this make, have seen the World; especially, because this

(though it be not regarded in our times, when things being left to take their chance, it fares with us accordingly) is certain; No man can be a Polititian, except he be first an Historian or a Traveller; for except he can see what Must be, or what May be, he is no Polititian: Now if he have no knowledge in story, he cannot tell what hath been; and if he hath not been a Traveller, he cannot tell what is: but he that neither knoweth what hath been, nor what is; can never tell what must be, or what may be. Furthermore, the Embassies in ordinary by our constitution, are the Prizes of young men, more especially such as have been Travellers. Wherefore they of these inclinations, having leave of the *Censors*, owe them accompt of their time, and cannot choose but lay it out with some ambition of Praise, or Reward, where both are open: whence you will have eyes abroad, and better choice of Publique Ministers: your Gallants shewing themselves not more unto the Ladies at their balls, than unto your Commonwealth at her Academy, when they return from their Travels.

But this Common-wealth being constituted more, especially of two Elements, *Arms*, and *Councils*, driveth by a natural instinct, at *Courage* and *wisdome*, which he who hath attained, is arriv'd at the perfection of humane nature. It is true, that these Virtues must have some naturall root in him that is capable of them; but this amounteth not unto so great a matter as some will have it. For if Poverty make an industrious; a moderate Estate, a temperate; and a Lavish fortune, a Wanton Man; and this be the common course of things; Wisdom is rather of necessity, than *Inclination*. And that an Army which was meditating upon Flight, hath been brought by Despair to win the Field, is so far from being strange, that like Causes will evermore produce like Effects. Wherefore this Common-wealth driveth her Citizens like Wedges, there is no way with them but through; nor end, but that Glory whereof Man is capable by Art or Nature. That the Genius of the *Roman* Families preserved it self throughout the line; as to instance in some, that the *Manlii* were still severe; the

Publicola

Publicola lovers; and the *Appii* haters of the people, is attributed by *Machiavill* unto their Education: nor, if interest might adde unto the reason, why the Genius of a *Patrician* was one thing, and that of a *Plebeian* another; is the like so apparent between different Nations, who according unto their different Educations have yet as different manners. It was anciently noted, and long confirmed by the *French*, that in their first assaults their courage was more then that of men; and for the rest lesse then that of women: which nevertheless through the amendment of their discipline, we see to be otherwise. I will not say, but that some Man or Nation upon equall improvement of this kind may be lighter then some other; but certainly, Education is the scale without which no Man or Nation can truly know his or her own weight or value. By our Histories we can tell when one *Marpesian* would have beaten ten *Oceaners*; and when one *Oceaner* would have beaten ten *Marpesians*. *Marc Anthony* was a Roman, but how did that appear in the embraces of *Cleopatra*? You must have some other Education for your Youth; or they, like that passage, will shew better in Romance, then true Story.

The Custom of the Common-wealth of *Rome* in distributing her Magistracies without respect of age, happened to do well in *Corvinus* and *Scipio*; for which cause *Machiavill* (with whom that which was done by *Rome*, and that which is well done, is for the most part all one) commendeth this course. Yet how much it did work at other times, is obvious in *Pompey* & *Cæsar*; examples by which *Boccalini* illustrateth the Prudence of *Venice* in her contrary practice, affirming it to have been no small step unto the ruine of the *Roman* Liberty, that these having tasted in their Youth of the Supream Honours; had no greater in their age to hope for, but by perpetuating of the same in themselves, which came to Blood, and ended in Tyranny. The opinion of *Kerulamius* is safe, *The Errours* (saith he) of *Young Men* are the ruine of *Businesse*; whereas the *errours* of *aged men* amount but to this, that more might have been

done or sooner. But though their Wisdome be little, their Courage is great. Wherefore (to come unto the main Education of this *Common-wealth*) the *Militia* of *Oceana* is the Province of Youth.

The distribution of this Province by the Essays is so fully described in the Order, that I need repeat nothing. The Order it self being but a Repetition or Copy of that Originall, which in ancient Prudence is, of all other, the fairest; as that from whence the *Commonwealth* of *Rome*; more especially derived the Empire of the World; And there is much more reason in this age, when Governments are universally broken, or swerved from their Foundations, and the People groan under Tyranny, that the same causes (which could not be withstood when the World was full of Popular Governments) should have the like effect.

The Causes in the *Common-wealth* of *Rome*, whereof the Empire of the World was not any miraculous, but a naturall (nay I may safely say necessary) consequence are contained in that part of her discipline which was domestick, and in that which shee exercised in her provinces or conquest. Of the latter I shall have better occasion to speak when we come unto our Provinciaall Orbes; the former divided the whole People by Tribes, amounting, as *Livy* shewes, at their full growth unto thirty five; and every Tribe by the Cense or valuation of Estates into five Classes, for the sixth being *Proletary* that is, the Nursery, or such as through their Poverty contributed nothing to the *Commonwealth* but Children, was not reckoned nor used in Armes: And this is the first point of the *Militia*; in which Moderne Prudence is quite contrary unto the Ancient; For whereas we excusing the rich, and arming the Poore, become the vassalls of our Servants, they by excusing the Poor and Arming such as were rich enough to be Freeman, became Lords of the *Earth*. (The Nobility and Gentry of this Nation, who understand so little what it is to be Lords of

of the Earth, that they have not been able to keep their Lands; will think it a strange education for their Children to be common Souldiers, and obliged unto all the duties of Armes; nevertheless it is not for 4, s. a week, but to be capable of being the best man in the Field or in the City: the latter part of which consideration makes the Common Souldier in this, a better man then the Generall of any Monarchicall Army. And whereas it may be thought, that this would drink deep of Noble Blood; I dare boldly say, take the *Roman* Nobility in the heat of their fiercest Warrs; and you shall not find such a shambles of them as hath been made of ours by meer luxury and slothfullnesse; which killing the body,

(*Animasq; in vulnere ponunt.*)

kill the Soul also; whereas Common right is that which who stands in the vindication of, hath used that Sword of Justice for which he receiveth the purple of Magistracy: the glory of a man on Earth can go no higher, and if he fall he riseth; and comes sooner unto that reward which is so much higher as Heaven is above Earth. To return unto the *Roman* example.) Every *Classis* was divided (as hath been more then once shewn) into Centurys, and every Century was equally divided into Youth and Elders; the Youth for Foreign Service, and the Elders for the Guard of the Territory. In the first *Classis* were a matter of eightene Centurys of Horse being those which by the Institution of *Servius* were first called unto the suffrage (*Centuriatis*.) But the *delectus*, or Levy of an Army (which is the present business) proceeded according to *Polybius* in this manner.

Upon a Warr decreed, the Consuls elected four and twenty military Tribunes or Colonels; whereof ten, being such as had merited their tenth Stipend, were younger Officers. The Tribunes being chosen, the Consuls appointed the day unto the Tribes, when those in them of military Age were to appear at the *Capitol*; The day being come, and the Youth Assembled accordingly, the Consuls ascended their Tribunal, and

and the younger Tribunes were forthwith divided into four parts after this manner: foure were assigned unto the first Legion, (a Legion at the most consisted of 6000 Foot, and 300 Horſe) three unto the ſecond, four unto the third, and three unto the fourth; the younger Tribunes being thus diſtributed, two of the Elder were assigned unto the first Legion, three unto the ſecond, two unto the third, and three unto the fourth. And the Officers of each Legion thus assigned, having drawn the Tribes by Lots, and being ſeated according unto their diſviſions at a convenient diſtance from each other; the Tribe of the first Lot was called: whereupon they that were of it knowing the buſineſſe, and being prepared, preſently bolted out four of their Number, in the choice whereof ſuch care was taken, that they offered none that was not a Citizen; no Citizen that was not of the Youth; no Youth that was not of ſome one of the five Claſſes, nor any one of the five Claſſes that was not expert at his Exercizes. Moreover, they uſed ſuch diligence in matching them for age and ſtature, that the Officers of the Legions, except they happened to be acquainted with the Youths ſo bolted, were forced to put themſelves upon fortune, while they of the first Legion choſe one; they of the ſecond, the next; they of the third, another; and the fourth Youth fell to the laſt Legion, and thus was the election (the Legions and the Tribes varying according unto their Lots) carried on till the Foot were compleat. The like Courſe with little alteration was taken by Horſe Officers till the Horſe alſo were compleat. This was called giving of Names (which the Children of *Iſrael* did alſo by Lot) and if any Man reſuſed to give his Name, he was ſold for a ſlave, or his Eſtate confiſcated to the Commonwealth (*Marcus Curius Conſul cum ſubitum delectum edicere coactus eſſet & juniorum nemo reſpondiſſet conjeſtis in ſortem omnibus, Pollia* (it is the name of a Tribe) *qua proxima exierat, primum nomen urna extractum citari juſſit, neq; eo reſpondente, bona Adolescentis haſc a ſubjecit*, which was conformable unto the Law in *Iſrael*, according whereunto *Saul* took a yoaſ of Oxen, and hewed them in pieces, and ſent them throughout the

Judg. 20.
9.

Valerius.

the Tribes, saying, *whoſoever cometh not forth (unto battel) after* 1 Sam. II. *Saul and Samuel, ſo ſhall it be done unto his Oxen.* By which you 7. may obſerve alſo, that they who had no cattle were not of the Militia in *Iſrael*. But the age of the *Roman* Youth (*Lege Tulliâ*) determined at 30. and by the Law (though it ſhould ſeem by *Machiavill* and others, that this was not well obſerved) a Man could not ſtand for Magiſtracy till he (was *miles emeritus*) had fulfill'd the full term of his Militia, which was compleat in his tenth ſtipend or Service: nor was he thence forth obliged under any penalty to give his name, except the Commonwealth were invaded, in which caſe the Elders were as well obliged as the Youth, (*Quod per magnos tumultus fieri ſolitum erat, juſtitio indiſto, delectus ſine vacationibus habitus eſt*) The Conſul might alſo Levy (*Milites evocatos*) commanded-Men out of ſuch as had ſerved their terme, and this at his Diſcretion. The Legions being thus compleat, were divided by two unto each Conſul; and in theſe no man had right to ſerve, but a *Roman* Citizen; Now becauſe two Legions made but a ſmall Army, the *Romans* added unto every one of their Armies an equall number of Foot, and a double number of Horſe Levied among their *Latine* or *Italian* Associates; ſo a Conſular Army with the Legions and Auxiliaries, amounted to about Thirty thouſand: and whereas they commonly levy'd two ſuch Armies together, theſe being joyned made a matter of 60 thouſand.

Livy.

The Steps whereby our *Militia* followes the greateſt Captain, are the three Eſſays; the firſt elected by a fifth man (*Curialis*) in the Pariſhes, amounting in the whole unto One hundred thouſand, chooſing their Officers (*Centuriatis*) at the Hundreds, where they fall alſo unto their Games, or Exercises, invited by handſome Prizes, ſuch as for themſelves and the honour of them will be coveted; ſuch as will render the Hundred a place of Sports, and exerciſe of Arms all the year long; ſuch as in the ſpace of ten years will harnoyſe you 30000 Men Horſe and Foot, with ſuch Arms for their Forge,
proof,

proof, and beauty, as (notwithstanding the *Argyraspides*, or silver shields of *Alexanders* guard) were never worn by so many; such as will present marks of Virtue and direction unto your General or *Strategus* in the distribution of his Army, which doubles the value of them, unto the Proprietors, who are bound to wear them, and caseth the Common-wealth of so much Charge, so many being Armed already. But here will be the Objection, now. How shall such a Revenue be compassed? Fifty pounds a year in every Hundred is a great deal, not so easily raised: men will not part with their money; nor would the sum as it is proposed by the Order of *Pompe*, rise in many years. These are difficulties that fit our Genius exactly: And yet a Thousand pounds in each Hundred once levied, establisheth the Revenue for ever. Now the Hundreds one with another are worth ten thousand pounds a year dry rent, over and above Personal Estates, which bring it unto twice the value. So a twentieth part of one years Revenue of the Hundred, does it. If you cannot afford this while you pay Taxes, though from henceforth they will be but small ones, do it when you pay none: If it be then too much for one year, do it in two: If it be too much for two years, do it in four. What Husbands have we hitherto been? What is become of greater Summes? My Lords, if you should thus cast your bread upon the waters, after many daies you would find it: stand not huckling, when you are offer'd Corn and your money again in the mouth of the Sack.

But to proceed: The first Essay being Officer'd at the Hundreds, and mustred (*Tributis*) at the Tribes, where they are entertain'd with other Sports, which will be very fine ones; Proceed unto the Election of the second Essay, or standing Army of this Nation consisting of thirty thousand Foot, and tenthousand Horse; and these (upon a War decreed) being delivered at the Rendezvouz of *Oceana* unto the *Strategus*, are the third Essay, which answereth unto the *Roman* Legions. But you may observe, that whereas the Consuls elected the

Military

Military Tribunes, and raised Commanded men out of the Veteranes at their own discretion: Our *Polemarchs* or Field-Officers are elected by the Scruteny of the Council of Warre; and our Veteranes not otherwise taken on, than as Voluntiers, and with the consent of the *Polemarchs*, which may serve for the removall of certain Scruples which might otherwise be incident in this place, though without encouragement by the *Roman* way of proceeding, much lesse that which is proposed. But whereas the *Roman* Legions in all amounted not in one Army to above 30000 Men, or little more, you have here Forty thousand; and whereas they added *Auxiliaries*, in this regard it is that *Marpesia* will be of greater Revenue unto you, then if you had the *Indies*; for whereas heretofore She hath brought you forth nothing but her native Thistle ploughing out the ranknesse of her *Aristocracy* by your *Agrarian*, you will find her an inexhaustible Magazine of Men, and to her own advantage, who will make a far better Accompt by the Arms, then by the Pins of *Poland*: Wherefore as a Consular Army consisted of about an equall number of *Auxiliaries* added unto their Legions by their *Latine* or *Italian* Associates, you may adde unto a Parliamentary Army an equall number of *Marpesians*, or *Panopeans*, as that Colony shall hereafter be able to supply you. By which means the Common-wealth will be able to go forth to Battail with Fourscore thousand Men. To make Wars with small Forces is no Husbandry, but a waste, a disease, a lingring and painful Consumption of Men and Money; the *Romans* making theirs thick, made them short, and had little regard unto money, as that which they who have men enow, can command where it is fittest that it should be Levied. All the ancient *Monarchies* by this means got on wing, and attain'd unto vast Riches. Whereas your Modern Princes being dear Purchasers of small parcels, have but empty Pockets. But it may be that some will accuse the Order, of rashnesse; in that it committeth the sole Conduct of the War unto the General; and the Custom of *Venice* by her *Proveditors*, or Checks upon her Commanders in Chief, may

seem to be of greater Prudence; but in this part of our Government neither *Venice*, nor any Nation that maketh use of mercenary Forces, is for our Instruction. A mercenary Army, with a standing *Generall*, is like the fatall Sister that Spins: But proper Forces, with an annuall Magistrate, are like Her that cuts the thread. Their Interests are quite contrary, and yet you have a better *Proveditor* then the *Venetian*, another *Strategus* sitting with an Army standing by him; whercupon that which is marching, if there were any probability it should, would find as little possibility that it could recoyl, as a Forraign Enemy to invade you. These things considered, a War will appear to be of a contrary nature unto that of all other reckonings, in as much as of this, you must never look to have a good accompt if you be strict in imposing Checks. Let a Council of *Hunts-men* assembled before-hand, tell you which way the Stagge shall run, where you shall cast about at the fault, and how you shall ride to be in at the Chase all the day: but these may as well do that, as a Council of War direct a General. The hours that have painted wings, and of different colours, are his Counsel: he must be like the eye that maketh not the scene, but hath it so soon as it changes. That in many Counsellors there is strength, is spoken of civill Administrations; As to those that are Military, there is nothing more certain, then that in many Counsellors there is weaknesse. Joynt Commissions in Military affairs are like hunting your Hounds in their Couples: In the *Attick War*, *Cleomenes* and *Demaratus*, Kings of *Lacedemon*, being thus coupled, tugg'd one against another; and while they should have joyn'd against the *Persian*, were the Cause of the calamity: whereupon that Common-wealth took better Counsel, and made a Law; whereby from thenceforth there went at once but one of her Kings unto Battail.

The Fidenati being in rebellion, and having slain the Colony of the Romans; four Tribunes with Consular power were created by the people of Rome, whereof one being left for the guard of the City,
the

the other three were sent against the Fidenati, who through the division that happened among them; brought nothing home but dishonour: whereupon the Romans created the Dictator; (and Livy gives his judgment in these words: *Tres Tribuni, potestate Consulari, documento fuere, quàm plurimum imperium bello inutile esset; tendendo ad sua quisq; consilia, cum alii aliud videretur, aperuerunt ad occasionem, locum hosti*) when the Consuls, Quinctius and Agrippa, were sent against the Æqui, Agrippa for this reason refused to go forth with his Colleague, (saying; *Saluberrimum in administratione magnarum rerum, summam imperii apud unum esse*) And if the ruine of Modern Armies were well considered, most of it would be found to have fallen upon this Point: it being in this case far safer to trust unto any one Man of common Prudence, then to any two or more together of the greatest Parts. The Consuls indeed being equal in Power, while one was present with the Senate, and the other in the Field with the Army, made a good Balance; and this with us is exactly follow'd by the Election of a new *Strategus* upon the march of the old one.

The Seven and twentieth Order, Whereby the Elders in case of Invasion are obliged unto equall duty with the Youth, and each upon their own Charge, is suitable unto reason; (for every Man defends his own Estate); and unto our Copy, as in the War with the Samnites and Tuscans. (*Senatus iussitum indici, delectum omnis generis hominum haberi iussit: nec ingenui modo, et iuniores Sacramento adacti sunt, sed seniorum etiam cohortes factæ.*) This Nation of all others is the least obnoxious unto Invasion. Oceana (saith a French Politician) is a Beast that cannot be devoured but by her Self; Nevertheless, that Government is not perfect which is not provided at all points; and in this (*ad Triarios res rediit*) the Elders being such as in a martial State must be Veterans; the Commonwealth invaded gathers strength (likè *Antæa*) by her fall, whilst the whole number of the Elders consisting of five hundred thousand, and the Youth of as many (being brought up according unto the Order) give twelve Successive Battels, each Battel consist-

ing of Eighty thousand Men, half Elders, and half Youth: And the *Common-wealth* whose Constitution can be no stranger unto any of those virtues which are to be acquired in humane life, growes familiar with Death ere She dye. If the hand of God be upon her for her transgressions, She shall mourn for her sins, and lye in the dust for her iniquities, without losing of her manhood.

(*Si fractus illabatur orbis
Impavidam ferient ruina.*)

The remaining part being the Constitution of the Provinciall Orbe is partly Civill, or consisting of the Elders; and partly Military, or consisting of the Youth. The Civil part of the Provinciall Orbe is directed by

28. Ord.
Constitution
of the Civill
part of the
Provinciall
Orbe.

The Twentye-Eighth Order; Whereby the Council of a Province being constituted of twelve Knights, divided by four into three Regions (for their terme and revolution conformable unto the Parliament) is perpetuated by the annuall election at the Tropick of four Knights (being trienniall Magistrates) out of the Region of the Senate whose terme expireth; and of one Knight out of the same Region to be Strategus, or Generall of the Province, which Magistracy is annuall. The Strategus or Magistrate thus chosen, shall be as well President of the Provinciall Council with power to propose unto the same, as Generall of the Army. The Council for the rest shall elect weekly Probosts, having any two of them also right to propose, after the manner of the Senatorian Councils of Oceana. And whereas all Provinciall Councils are members of the Council of State, they may and ought to keep diligent correspondence with the same; which is to be done after this manner; Any opinion or opinions Legitimately proposed and debated at a Provinciall Council; being thereupon signed by the Strategus or any two of the Probosts, may be transmitted unto the Council of State in Oceana: and the Council of State proceeding upon the same in their naturall Course (whether by their own Power if it be a matter wd. in their instructions, or by authority of the Senate or upon consultation, if it be a matter of State which is not in their instructions or by authority of the Senate and Command of the People, if it be a matter of Law, as for the

Arbiter

Levys of Pen or Money upon common use and safety) shall returne such answers, advice, or Orders, as in any of the ways mentioned shall be determined upon the Case. The Provinciall Councils of Marpesia and Panopea respectvely shall take especiall care that the Agrarian Lawes, as also all other Lawes that be or shall from time to time be enacted by the Parliament of Oceana, for either of them, be duly put in execution; They shall mannage and receive the Customs of either Nation for the Shipping of Oceana being the Common Guard, they shall have a care that moderate and sufficient pay upon the respective Province be duly raysted for the support and maintenance of the Officers and Souldiers, or Army of the same in the most effectuall constant and convenient way. They shall receive the Regalia, or publique Revenues of those Nations, out of which every Counsellor shall have for his terme, and unto his proper use, the Summe of 500 *l.* per annum; and the Strategus 500. *l.* as President, besides his pay as Generall, which shall be 1000 pounds: the remainder to go unto the use of the Knights and Deputies of the respective Provinces; to be paid if it will reach, according unto the rates of Oceana; if not, by an equall distribution, respectvely; or the overplus, if there be any, to be returned unto the Treasury of Oceana. They shall mannage the Lands (if there be any such holden in either of the Provinces by the Common-wealth of Oceana, in Dominion) and return the Rents into the Exchequer. If the Commonwealth come to be possessed of richer provinces, the pay of the Generall or Strategus, and of the Councils may be respectvely encreased. The People for the rest shall elect their own Magistrates, and be governed by their own Lawes. having power also to appeale from their Patrie, or Provinciall Magistrates if they please unto the People of Oceana. And whereas there may be such as receiving Injury are not able to prosecute their appeales at so great a distance: Eight Serjants at Law being chozne by the Commissioners of the Seale shall be sent by foure into each Province once in two yeares, who dividing the same by Circuits, shall heare such Causes, and having gathered and introduced them shall returne unto the severall Appellants, Gratis, the Determinations and Decrees of the People in their severall Cases.

The terme of a Knight in a Provinciall Orbe as to domestick Magistracies shall be esteemed a Vacation and no barr unto present Election

Election into any other Honour, his Provinciall Magistracy being expired.

The Quorum of a Provinciall Council, as also of every other Council or Assembly in Oceana, shall in time of health consist of two parts in three, of the whole number proper unto that Council or Assembly; and, in a time of Sicknesse, of one part in three; But of the Senate there can be no Quorum without three of the Signory: nor of a Council without two of the Proboscis.

The Civil part of the Provinciall Orbe being declared by the foregoing Order; The military part of the same is constituted by

29. Ord.
*Constitution
of the Military
part of
the Provinciall
Orbe.*

The Twenty Ninth Order; Whereby the Stratagots of the third Essay, having drawn the Gold Balls marked with the Letter M. and being ten Horse & fifty Foot in a Tribe, that is to say, five hundred Horse, and two thousand five hundred Foot in all, the Tribes shall be delivered by the respective Conductors unto the Provinciall Strategus, or Generall, at such a time and place or Rendezvous as he shall appoint by Order and Certificate of his Election; and the Strategus, having received the Horse and Foot mentioned, which are the third Classis of his Provinciall Guard, or Army, shall forthwith lead them away unto Marpesia, where the Army consisting of three Classes, each Classis containing three thousand Men, whereof five hundred are Horse; and receiving the new Strategus with the third Classis; the old Strategus with the first Classis shall be dismissed by the Provinciall Council. The same method with the Stratagots of the Letter P. is to be observed for the Provinciall Orbe of Panopea: and the Commonwealth coming to acquire new Provinces, the Senate and the People may erect new Orbs in like manner consisting of greater or lesser numbers according as is required by the respective occasion. If a Stratagot have once served his terme in a Provinciall Orbe, and happen afterwards to draw the Letter of a Province at the Election of the second Essay; he may refuse his Lot, and if he refuse it, the Censor of that Urn shall cause the files balloting at the same to make an halt; and if the Stratagot produce the Certificate of his Strategus or Generall, that he hath served his time accordingly; the Censor throwing the Ball that he drew into the Urn againe, and taking out a blank, shall dismiss the Month, and cause the Ballot to proceed.

To perfect the whole structure of this Common-wealth: some directions are given unto the third Essay, or Army marching, in

The Thirtieth Order; *When thou goest to battel against thine enemies, and seest Horses and Chariots, and a people more then thou; be not affraid of them, for the Lord thy God is he that goeth with thee to fight for thee against thine enemies: And when thou dividest the spoile, it shall be as a statute and an Ordinance unto thee, that as his part is that goeth down to the battle, so shall his part be that carryeth by the Stuffe: that is, as to the Common-wealth of Oceana; The spoile taken of the enemy (except Clothes, Armes, Horses, Ammunition and Victuall, to be divided unto the Souldiery by the Strategus and the Polemarchs upon the place according unto their Discretion) shall be delivered unto four Commissioners of the Spoiles elected and sworn by the Council of War, which Commissioners shall be allowed Shipping by the State and convoyes according as occasion shall require by the Strategus; to the end that having a bill of lading signed by three or more of the Polemarchs they may Ship and bring or cause such spoiles to be brought unto the Prize Office in Oceana, where they shall be sold, and the profit arising by such spoiles shall be divided into three parts whereof one shall go unto the Treasury, another shall be paid to the Souldiery of this Nation, a third unto the Auxiliaries, at their return from their service, provided that the said Auxiliaries be equall in number unto the proper forces of this Nation, otherwise their share shall be so much lesse as they are fewer in number: the rest of the two thirds to go unto the Officers and Souldiers of the proper forces; and the spoiles so divided unto the proper forces shall be subdivided into three equall parts, whereof one shall go unto the Officers, and two unto the common Souldiers, the like for the Auxiliaries: and the share allotted unto the Officers, shall be divided into four equall parts whereof one shall go to the Strategus, another unto the Polemarchs, a third unto the Colonels, and a fourth unto the Captaines, Cornets, Ensignes and under Officers, receiving their share of the spoile as common Souldiers. The like for the Auxiliaries: and this upon paine in the case of failure, of what the people of Oceana, unto whom the Cognizance of Peculate or Crimes of this nature is properly appertaining, shall adjudge or decree.*

30 Order,
Deut. 20
2 Sam: 30.
24.

Upon these three last orders the *Archon* seemed to bee hanging at the head of his Army, in this manner.

My dear Lords and Excellent Patriots

A Government of this make, is a Cōmonwealth for increase. Of those for preservation, the inconveniences, and frailties have been shewn: their rootes are narrow, such as do not runne, have no fivers, their tops weak and dangerously exposed unto the weather; except you chance to finde one (as *Venice*) planted in a flowerpot, and if shee grow, shee grows top-heavy, and falls too. But you cannot plant an Oak in a flowerpot: She must have earth for her root, and heaven for her branches.

Imperium Oceano famam qua terminet astris.

Rome was said (*Mole sua ruere*) to bee broken by her own weight, but Poetically. For that weight by which she was pretended to bee ruined, was supported in her Emperors, by a farre slighter foundation. And in the Common experience of good Architecture, there is nothing more known, than that buildings, stand the firmer and the longer for their own weight; nor ever swerve through any other internal cause, than that their materials are corruptible; but the people never dyes, nor, as a Political Body, are subject unto any other corruption than that which deriveth from their Government: Unlesse a man will deny the chain of causes in which hee denies God, hee must also acknowledge the chain of effects; wherefore there can bee no effect in Nature, that is not from the first Cause, and those successive lincks of the chain, without which it could not have been. Now except a man can shew the contrary in a Commonwealth, if there bee no cause of corruption in the first make of it, there can never bee any such effect. Let no mans superstition, impose prophanenesse upon this assertion; for as Man is sinful, but yet the world is perfect, so may the Citizen bee sinfull, and yet the Commonwealth bee perfect. And as man seeing the World is perfect, can

never commit any such sin as can render it imperfect, or bring it unto a natural dissolution; so the Citizen, where the common Wealth is perfect can never commit any such crime, as can render it imperfect, or bring it unto a natural dissolution. To come unto experience, *Venice*, notwithstanding that wee have found some flaws in it, is the only Cōmonwealth, in the make whereof, no man can find a cause of dissolution; for which reason wee behold her (albeit she consist of men that are not without sin) at this day with one thousand years upon her back, for any internal cause, as young, as fresh, and free from decay, or any appearance of it, as shee was born, but what ever in nature, is not sensible of decay by the course of a thousand years, is capable of the whole age of nature: by which calculation for any check that I am able to give my self; a Commonwealth rightly ordered, may for any internal causes be as immortal, or long-lived as the World. But if this be true, those Commonwealths that are naturally fallen, must have derived their ruine from the rise of them. *Israel* and *Athens*, died not naturall, but violent deaths, in this manner the World is to dye; wee are speaking of those causes of dissolution which are naturall unto government; and they are but two, either *Contradiction* or *Inequality*; if a Commonwealth be a contradiction she must needs destroy her self; and if she be unequal, it tends to strife, and strife to ruine. By the former of these fell *Lacedemon*, by the latter *Rome*. *Lacedemon* being made altogether for war, and yet not for increase, her natural progresse, became her natural dissolution, and the building of her own victorious hand, too heavy for her foundation; so shee indeed fell by her own weight.

But *Rome* through her native *Inequality*, which how it inveterated the bosomes of the Senate and the people each against other, and even unto death hath been shewn at large.

Look well unto it my Lords, for if there be a contradiction or inequality in your Commonwealth it must fall; but if it have neither of these, it hath no principle of mortality, do not think mee impudent; if this be truth, I should commit a

gross

grosse indiscretion, in concealing it. Sure I am that *Machiavil*, is for the immortality of a Commonwealth upon far weaker principles. *If a Commonwealth (saith he) were so happy as to be provided often with men, that when she is swarving from her principles should reduce her unto her institution, shee would be immortall.* But a Common-wealth, as we have demonstrated, swarveth not from her Principles, but by and through her institution, if she brought no byasse into the World with her, her course for any internal cause, must be streight forward, as we see is that of *Venice*, she cannot turn unto the right hand, nor to the left, but by some rubs, which is not an internal but an external cause, against such she can be no way fortified, but through her situation as is *Venice*, or through her Militia as was *Rome*, by which examples a Common-wealth may be secure, of those also; Think me not vain, for I cannot hold; a Common-wealth that is rightly instituted can never swarve, nor one that is not rightly instituted be secured from swarving by reduction unto her principles, wherefore it is no less apparent in this place, that *Machiavil* understood not a Common-wealth as to the whole peice. As where having told you, *That a Tribune or any other Citizen of Rome, might propose a Law unto the people, and debate it with them,* he adds *this order was good while the people were good, but when the people became evil, it became most pernicious;* as if this Order, through which with the like, the people most apparently became evil, could ever have been good; or that the people, or the Commonwealth could ever have become good; by being reduced unto such principles as were the Original of their evil. The disease of *Rome* was, as hath been shewn, from the native inequality of her ballance, and no otherwise from the Empire of the World, which then as this falling into one scale, that of the Nobility (an evil in such a Fabrick inevitable) kickt out the People, wherefore a man that could have made her to throw away the Empire of the World; might in that have reduced her unto her principles, and yet have been so far from rendering her immortal, that going no farther hee should never have cured her. But your C. W. is founded upon an equal Agrarian, and if *the earth be given unto the Sonnes of men*, this bal-

Dis. B. 3.
C. 21. B. 3
C. 29.

Dis. B. 1. C.
18

Prov. 20., 14. lance, is the ballance of justice, such an one as in having due regard unto the different industry, of different men, yet *faithfully judgeth the poor. And the King that faithfully judgeth the poor, his Throne shall be established for ever*, much more the Commonwealth; seeing that equality which is the necessary dissolution of Monarchy, is the generation, the very life and soul of a Commonwealth; And now, if ever, I may be excusable, seeing that the Throne of a Commonwealth may be established for ever, is consonant unto the holy Scriptures.

The ballance of a Commonwealth that is equal, is of such nature, that what ever falleth into her Empire, must fall equally, and if the whole earth fall into your scales, it must fall equally, & so you may be a greater people, and yet not swerve from your principles one hair. Nay you will be so far from that, that you must bring the world in such a case, unto your ballance, even unto the ballance of Justice. But hearken, My Lords, Are we on earth? Do we see the Sun? or are we visiting those shady places which are fained by the Poets?

(*Continuò audita voces, vagitus & ingens.*)

These Gothick Empires that are yet in the world, were at the first, though they had legs of their own, but an heavy and unweildy burden, but their foundations being now broken; the Iron of them entereth even into the souls of the oppressed, and hear the voice of their Comforters. *My father hath chastised you with whips, but I will chastise you with scorpions.* Harken, I say, if thy brother cry unto thee in affliction, wilt thou not hear him? This is a Commonwealth of the fabrick, that hath an open ear, and a publick concernment, she is not made for her self only, but given as a Magistrate of God unto mankind, for the vindication of common Right, and the law of Nature. Wherefore saith Cicero of the like, that of the Romans (*Nos magis patronatum orbis terrarum suscepimus, quam Imperium*) we have rather undertaken the Patronage than the Empire of the world. If you, not regarding this example, like some other Nations that are upon the point to smart for it, shall, having attained unto your own liberty, *bear the sword of your common Magistracy, in vain*, sit still, and fold your arms, or which is worse, let out the blood

blood of your people unto Tyrants to be shed in the defence of their yokes, like water, and so not only *turn the grace of God into wantonness*, but his *justice into wormwood*.

You are not now making a Commonwealth, *but heaping coals of fire upon your own heads*. A Commonwealth, I say, of this make is a Minister of God upon earth, to the end that the world may be *governed with righteousness*. For which cause (that I may come at length unto our present business) the orders last rehearsed are buds of Empire, such as with the blessing of God, may spread the arms of your Commonwealth, like an holy *Asylum* unto the distressed world, and give the earth her Sabbath of years, or rest from her labours under the shadow of your wings. It is upon this point where the writings of *Machiavil* having for the rest excelled all other Authors, come as far to excel themselves.

(Commonwealths, saith he, have had three wayes of propagating themselves, One after the manner of Monarchies, *by imposing the yoke, which was the way of Athens, and towards the latter times of Lacedemon*; Another by equal leagues, *which is the way of Switz* (I shall adde of *Holland* though since his time) *A third by unequal leagues, which to the shame of the world, was never practised, nay nor so much as seen, or minded by any other Commonwealth, but that only of Rome*. They will each of them either for caution, or imitation, be worthy to be well weighed, which is the proper work of this place. *Athens* and *Lacedemon*, have been the occasion of great scandal to the world, in two, or at least one of two regards. The first their emulation, which involved *Greece* in perpetual wars, the second their way of propagation, which by imposing yokes upon others, was plainly contradictory to their own principles.

For the first, Governments bee they of what kinde soever, if they bee planted too close, are like trees, that impatient in their growth to have it hindred, eat out one another. It was not unknown unto these, in contemplation, or (if you read the story of *Agesslaus*) in action, that either of them with thirty thousand men might have mastered the East,

and

Disc. B. 2.
C. 4.

and certainly, if the one had not stood in the others light, *Alexander* had come too late to that end, which was the means (and would be if they were to live again) of ruine, at the least unto one of them: wherefore with any man that understandeth the nature of Government, this is excusable; so it was between *Oceana* and *Marpesia*; so it is between *France* and *Spain* (though lesse excusable) and so it ever will bee in like cases. But to come unto the second occasion of scandal by them given, which was in the way of their propagation, it is not excusable: for they brought their confederates under bondage; by which means *Athens* gave occasion of the *Peloponesian* warre, the wound of which shee dy'd stinking, when *Lacedemon*, taking the same infection from her carcases, soon followed.

Wherefore my Lords, let these bee warnings unto you, not to make that liberty which God hath given you, a snare unto others, in using this kind of enlargement of your selves.

The Second way of Propagation or enlargement used by Common-wealths, is that of *Switz* and *Holland*, equal leagues; this, though it be not otherwise mischievous, is uselesse to the world, and dangerous unto themselves; uselesse unto the world, for as the former governments were Storks, these are blocks, have no sense of honour, or concernment in the sufferings of others. But as the *Atolians* a state of the like fabrick, were reproached by *Phillip* of *Macedon*, prostrate themselves, by letting out their arms unto the lusts of others: while they have their own liberty barren, and without legitimate issue. I do not defame the people, the *Switz* for valour have no superior, the *Hollander* for industry no equal: but themselves in the mean time shall so much the less excuse their Governments, seeing that unto the *Switz* it is well enough known, that the Ensigns of his Common-wealth have no other *Motto* then (*in te converte manus*) and that of the *Hollander*, though hee sweate more gold than the *Spaniard* digs, let's him languish in debt, for shee her self lives upon charity, these are dangerous unto themselves, precarious governments,

ments, such as do not command, but beg their bread from Province to Province, in Coats that being patched up of all colours are of none. That their Cantons and Provinces are so many arrows, is good; but they are so many bows too, which is naught.

Like unto these was the Commonwealth of the ancient *Tuscans*, hung together like Bobbins, without an hand to weave with them, therefore easily overcome by the *Romans*, though at that time, for number, a far lesse considerable people. If your liberty be not a root that grows, it will be a branch that withers; which consideration brings mee unto the Paragon, the Common-wealth of *Rome*.

The ways and means whereby the *Romans* acquired the Patronage, and in that the Empire of the world, were different, according unto the different Condition of their Commonwealth in her rise, and in her growth; in her rise shee proceeded rather by Colonies, in her growth by unequal Leagues. Colonies without the bounds of *Italy* shee planted none (such dispersion of the *Roman* Citizen, as to plant him in forreign parts, til the contrary interest of the Emperors brought in that practice, was unlawful) nor did shee ever demolish any City within that Compass, or divest it of liberty, but whereas the most of them were Commonwealths, stirred up by emulation of her great felicity, to war against her, if shee overcame any, she confiscated some part of their Lands that were the greatest incendiaries, or causes of the trouble, upon which shee planted Colonies of her own people, preserving the Lands and Liberties for the rest, unto the natives or inhabitants. By this way of proceeding, (that I may bee brief as is possible) she did many and great things. For in confirming of Liberty, shee propagated her Empire, in holding the inhabitants from rebellion, shee put a curb upon the incursion of Enemies; in exonerating her self of the poorer sort, shee multiplied her Citizens, in rewarding her veterans, shee rendered the rest lesse seditious; and in acquiring unto her self the reverence of the Common parent, shee from time to time became the Mother

Mother of New-born Cities.

In her farther growth the way of her propagation, went more upon Leagues, which for the first division were of two kindes, Social and Provincial.

Again, Social Leagues, or Leagues of Society, were of two kindes.

The first called, *Latinity* or *Latine*; The second *Italian Right*.

The League between the *Romans* and the *Latins*, or *Latine Right*, approached nearest unto (*Jus Quiritium*) the right of a native *Roman*, The Man or the City that was honoured with this Right was (*Civitate donatus cum suffragio*) adopted a Citizen of *Rome*, with the right of giving suffrage with the people in some cases, as those of Confirmation, of Law, or Determination in Judicature, if both the Consuls were agreed, not otherwise; wherefore that coming to little, the greatest and most peculiar part of this Priviledge was, that who had born Magistracy (at least that of *Edile* or *Questor*) in any *Latine City*, was by consequence of the same a Citizen of *Rome* at all points.

Italian Right was also donation of the City, but without Suffrage; they who were in either of these Leagues, were governed by their own Laws and Magistrates, having all the Rights, as to liberty of Citizens of *Rome*, yeelding and paying to the Commonwealth as head of the League, and having the Conduct of all Affairs appertaining to the Common Cause, such aid of Men and Monies as were particularly agreed upon the merit of the cause, and specified in their respective Leagues, whence such Leagues came to be called equal or unequal accordingly.

Provincial Leagues were of different extention, according unto the Merit and Capacity of a conquered people, but of one kinde, for every Province was governed by *Roman* Magistrates, as a *Prator* or a *Consul*, according to the dignity of the Province; for the Civil Administration, and conduct of the Provincial Army: And a *Questor* for the gathering of the publick

publick Revenue, from which Magistrates, a Province might appeal unto *Rome*.

For the better understanding of these particulars, I shall exemplifie in as many of them as is needful : And first, in *Macedon*.

The *Macedonians* were thrice conquered by the *Romans*, first under the conduct of *T. Quintus Flaminius*, secondly under that of *L. Aemilius Paulus*; and thirdly, under that of *Q. Caelius Metellus*, thence called *Macedonicus*.

For the first time (*Pax petenti Philippo data, Græciæ libertas*) *Philip* of *Macedon*, who (possessed of *Acro Corinthus*) boasted no less than was true, that he had *Greece* in fetters, being overcome by *Flaminius*, had his Kingdome restored unto him, upon condition that he should forthwith set all the Cities which he held in *Greece*, and in *Asia* at liberty; and that he should not make war out of *Macedon*, but by leave of the Senate of *Rome*, which *Philip* (having no other way to save any thing) agreed should be done accordingly.

The *Grecians* being at this time assembled at the *Isthmian Games*, where the concourse was mighty great, a Cryer, appointed unto the office by *Flaminius*, was heard among them proclaiming all *Greece* to be free; to which the people being amazed, at so hopeles a thing, gave little credit, till they received such testimony of the truth as put it past all doubt, whereupon they fell immediately on running unto the Proconsul, with Flowers and Garlands, and such violent expressions of their admiration and joy, as if *Flaminius* a young man (about some thirty three) had not also been very strong, hee must have dyed of no other death then their kindness, while every one striving to touch his hand, they bore him up and down the field with an unruly throng, full of such Ejaculations as these; How! Is there a people in the world, that at their own Charge, at their own Peril, will fight for the liberty of another! Did they live at the next door unto this fire! Or what kinde of men are these, whose business it is to pass Seas, that the World may be governed with righteousness! The Cities of *Greece* and of *Asia* shake off their Iron fetters at the

voyce of a Cryer ! Was it madnesse to imagine such a thing ; and is it done ! O Vertue ! O Felicity ! O Fame !

In this example your Lordships have a Donation of Liberty, or of *Italian* Right unto a people, by restitution to what they had formerly enjoyed, and some particular Men, Families, or Cities, according unto their merit of the *Romans*, if not upon this, upon like occasions were gratified with *Latinity*.

But *Philips* share by this means did not please him ; wherefore the League was broken by his son *Perseus*. And the *Macedonians* thereupon for the second time conquered by *Emilius Paulus*, their King taken, and they sometime after the Victory, summoned unto the Tribunal of the General, where remembring how little hope they ought to have of pardon, they expected some dreadful sentence. When *Emilius* in the first place declared the *Macedonians* to be free, in the full possession of their Lands, Goods, and Laws, with right to elect annual Magistrates, yeelding and paying unto the people of *Rome* one half of the Tribute which they were accustomed to pay unto their own Kings. This done he went on, making so skilful a division of the Country, in order to the methodizing of the people, and casting them into a form of popular Government. That the *Macedonians* being first surprized with the vertue of the *Romans*, began now to alter the scene of their Admiration, that a stranger to them should do such things for them in their own Country, and with such facility, as they had never so much as once imagined to be possible. Nor was this all, for *Emilius*, as if not dictating to conquered Enemies, but to some well-deserving friends, gave them in the last place Laws, so suitable, and contrived with such care and prudence, that long use and experience (the only Correctress of works of this nature) could never finde a fault in them.

In this Example you have a Donation of Liberty, or of *Italian* Right, unto a people that had not tasted of it before, but were now taught how to use it.

My Lords, The Royallists should compare what we are doing, and we what hitherto we have done for them, vwith this example,

example. It is a shame that while wee are boasting up our selves above all, we should be so far from imitating such examples as these, that we do not so much as understand, that if Government be the parent of manners, where there be no Heroical Vertues, there is no Heroical Government.

But the *Macedonians* rebelling (at the name of a false *Philip*) the third time against the *Romans*, were by them judged incapable of Liberty, and reduced by *Metellus* unto a Province.

Now whereas it remains, that I explain the nature of a Province, I shall rather choose that of *Sicely*, because having been the first that the *Romans* made; the descriptions of the rest relate to it.

We have so received the *Sicilian Cities* into amity (saith *Cicero*) that they enjoy their ancient Laws, and upon no other condition than of the same obedience unto the people of Rome, which they formerly yeelded unto their own Princes or Superiors. So the *Sicilians*, whereas they had been parcelled forth unto divers Princes, and into divers States, the cause of perpetual Wars, whereby hewing one another down, they became Sacrifices unto the ambition of their Neighbours, or of some Invader, were now received at the old rate into a new Protection, which could hold them, and in which no Enemy durst touch them; nor was it possible (as the case stood with such) for the *Sicilians* to receive, or for the *Romans* to give more.

A *Roman Province* is defined by *Sigonius*, a Region having *Provinciall Right*. *Provinciall Right* in general, was to bee Governed by a *Roman Prator*, or *Consull*, in matter, at least, of State, and of the *Militia*. And by a *Quaestor*, whose Office it was to receive the Publicks Revenue. *Provinciall Right* in particular, was different, according unto the different Leagues, or Agreements between the *Common-wealth*, and the People reduced unto a Province. (*Siculi hoc jure sunt, ut quod civis cum civis agat, domi certet suis legibus, quod Siculus cum Siculo non ejusdem Civitatis, ut de eo Prator Judices, ex P. Rupili Decreto, Sortiatur. Quod privatus a Populo petii, aut populus a pri-* Cicero.

vato, *Senatus ex aliqua Civitate; qui judicet, datur; cui alterna Civitates rejecta sunt. Quod civis Romanus a Siculo petit, Siculus Fudex datur; quod Siculo a cive Romano, civis Romanus datur. Ceterarum rerum selecti Fudices. ex civium Romanorum conventu proponi solent. Inter aratores & decumanos lege frumentaria, quam Hieronicam appellant, judicia fiunt.*) Because the rest would oblige mee unto a discourse too large for this place, it shall suffice that I have shewed you how it was in Sicely.

My Lords, Upon the Fabrick of your Provinciall Orbe I shall not hold you; because it is sufficiently described in the Order, and I cannot beleieve that you think it inferiour to the way of a *Prator* and a *Quastor*. But whereas the Provinciall way of the *Roman* Common-wealths was that whereby shee held the Empire of the World, and your Orbes are intended to bee capable at the least of the like use; there may arise many Controversies. As whether such a course bee lawfull, whether it bee feizable: and seeing that the *Romans* ruinated upon that point, whether it would not bee unto the destruction of the Common-wealth?

For the first, If the Empire of a Common-wealth bee a Patronage, to ask whether it bee lawfull for a Commonwealth to aspire unto the Empire of the World, is to ask whether it bee lawfull for her to do her duty, or to put the World into a better condition than it was before.

And to ask whether this bee feizable, is to ask why the *Oceanar*, being under the like administration of Government, may not do as much with two hundred men as the *Roman* did with one hundred, for comparing their Commonwealths in their rise, the difference is yet greater. Now that *Rome* (*scilicet Avaritia Luxuriaque*) through the naturall thirst of her constitution, came at length with the fulnesse of her Provinces, to burst her self, this is no otherwise to bee understood, than as when a man that from his owne evill constitution, had contracted the Dropsie, dyes with drinking: It being apparent that in case her *Agrarian* had held, shee could never have been thus

thus ruined ; And I have already demonstrated that your Agrarian being once poyssed, can never break or swarve.

Wherefore to draw towards some Conclusion of this Discourte, let mee inculcate the use, by selecting a few considerations out of many. The regard had in this plate unto the Empire of the World, appertaineth to a well-ordered Commonwealth, more especially for two Reasons.

1 The facility of this great enterprize, by a Government of the Modell proposed.

2 The danger that you would run, in the omission of such a Government.

The facility of this enterprize, upon the grounds already laid ; must needs bee great, forasmuch as the Empire of the World hath been, both in reason and experience, the necessary consequence of a Common-wealth of this nature only, for though it have been given unto all kinds to drive at it, inasmuch as that of *Athens*, or *Lacedemon*, if the one had not hung in the others light, might have gained it, yet could neither of them have held it ; not *Athens*, through the manner of her propagation, which being by down-right Tyranny, could not preserve what shee had ; nor *Lacedemon*, because shee was overthrowen by the weight of a less Conquest. The facility then of this great Enterprize, being peculiar unto popular Government ; I shall consider it ; First, In gaining ; And secondly, In holding.

For the former (*Volenti non fit injuria*) it is said of the people under *Eumenes*, that they would not have changed their subjection for liberty ; wherefore the *Romans* gave them no disturbance.

If a people be contented with their Government, it is a certain sign that it is good ; and much good do them with it. The sword of your Magistracy is for a terror unto them that do evil.

Eumenes had the fear of God ; or of the *Romans* before his eyes, concerning such hee hath given you no Commission.

But

But till wee can say here are the *Romans*, where is *Eumenes*? Do not think that the late *appearances of God* unto you, have been altogether for your selves; *he hath surely seen the affliction* of your Brethren, and heard their cry, by reason of their *task-masters*. For to believe otherwise, is not only to be mindlesse of his wayes, but altogether deaf. If you have ears to hear, this is the way in which you will assuredly bee called upon: for if while there is no Stock of Liberty, no sanctuary of the afflicted, it bee a common object, to behold a people casting themselves out of the pan of one Prince, into the fire of another: what can you think, but if the world should see the *Roman Eagle* again, shee would renew her age, and her flight? nor ever did shee spread her wing with better Omen, then will be read in your Ensigns, which if called in by an oppressed people, they interpose between them and their Yoak; the people themselves must either do nothing in the mean time, or have no more pains to take for their wished fruit than to gather it, if that bee not done for them. Wherefore this must needs bee easy, and yet you have a greater facility, than is in the arm of flesh; for if the cause of mankind, bee the cause of God, the Lord of Hosts will bee your Captain, and you shall bee a praise unto the Earth.

The facility of holding, is in the way of your Propagation; if you take that of *Athens* and *Lacedemon*, you shall rain snares, but either catch or hold nothing. Lying lips are an abomination unto the Lord, if setting up for liberty you impose yoaks, hee will assuredly destroy you; On the other side, to go about a work of this nature, by a League without an head, is to abdicate that Magistracy, wherewithall hee hath not only indued you, but whereof hee will require an account of you; *for cursed is hee that doth the work of the Lord negligently*. Wherefore you are to take the course of *Rome*: if you have subdued a Nation that is capable of liberty, you shall make them a present of it, as did *Flaminius* unto *Greece*, and *Emilius* unto *Macedon*, reserving unto your selves some

part of that revenue, which was legally paid unto the former Government, together with the right of being head of the League, which includeth such Levyes of men and mony as shall bee necessary for the carrying on of the publick work, for if a people have by your means attained unto freedom, they owe both unto the cause and you, such aid as may propagate the like fruit unto the rest of the world. But whereas every Nation is not capable of her liberty unto this degree, lest you be put, to doing and undoing of things, as the *Romans* were in *Macedon*, you shall diligently observe what Nation is fit for her liberty unto this degree, and what not; which is to be done by two marks, the first if shee bee willing to *help the Lord against the mighty*; for if shee have no care of the Liberty of mankind, shee deserveth not her own; but because in this you may be deceived by pretences, which continuing for a while specious, may afterwards vanish, the other is more certain, and that is if shee bee capable of an equal Agrarian, which that it was not observed by excellent *Æmilius*, in his Donation of Liberty, and introduction of a Popular State among the *Macedonians*, I am more then moved to believe, for two reasons, the first because at the same time the Agrarian was odious unto the Roman *Patricians*; the second, that the *Pseudo-Phillip* could afterwards so easily recover *Macedon*, which could not have happened, but by the Nobility, and their impatience having great estates, to bee equalled with the people, for that the people should otherwise, at the meer sound of a name, have thrown away their liberty, is incredible; Wherefore bee assured, that the Nation where you cannot establish an equal Agrarian, is incapable of her liberty, as to this kinde of Donation. For example, except the Aristocracy in *Marpesia*, bee dissolved, neither can that people, have their liberty there, nor you govern at home, for they continuing still liable to bee sold by their Lords, unto forrain Princes, there will never (especially in a Country of which there is no other profit to be made) bee want of such Merchants and drovers, while you

must

must be the market where they are to receive their second payment.

Nor can the Aristocracy there be dissolved but by your means, in relation whereunto, you are provided with your Provincial Orb, which being proportioned unto the measure of the Nation that you have vindicated or conquered, will easily hold it; for there is not a people in the world more difficult to be held than the *Marpefians*, which though by themselves it be given unto their own nature, is truly to be attributed unto that of their Country: Nevertheless you having nine thousand men upon the continual guard of it, that threatned by any sudden insurrection, have places of retreat; and an Army of forty thousand men upon a dayes warning ready to march unto their rescue, it is not to be rationally shewn, which way they can possibly slip out of your hands; and if a man shall think, that upon a Province more remote, and divided by Sea, you have not the like hold; he hath not so well considered your wings, as your talons, your shipping being of such nature, as maketh the descent of your Armies almost of equal facility in any Country, so that what you take, you hold, both because your *Militia* being already populous, will bee of great growth in it self, and through the confederates, by whom in taking and holding, you are still more enabled to take and hold.

Nor shall you easilier hold, then the people under your Empire or Patronage be held (My Lords, I would not go unto the door, to see whether it be (*rimarum plena*) close shut, this is no under-board dealing, nor game, at which he shall have any advantage against you that sees your Cards, but to the contrary the advantage shall be your own) for with eighteen thousand men (which number I put, because it circulates your Orb by the annual charge of six thousand) having set the matters in the order shewn, you will be able to hold the greatest Province, and eighteen thousand men, allowing them greater pay than any Prince ever gave, will not stand the Province in one Million revenue; * In consideration whereof, they shall have

* This by the pay of a Parliamentary Army, is demonstrated in the Corollary.

have their own estates free unto themselves, be governed by their own Laws and Magistrates; which if the Revenue of the Province be in dry rent (as there may be some that are four times as big as *Oceana*) forty millions, will bring it with that of industry (to speak with the least) unto twice the value, so that the people there, who at this day are so oppressed, that they have nothing at all whereupon to live, shall for one Million paid unto you, receive at the least seventy nine unto their proper use, in which place I appeal unto any man, whether the Empire described, can be other than the Patronage of the world.

Now if you adde unto the propagation of Civil Liberty; (what is so natural unto this Commonwealth that it cannot be omitted) the Propagation of the Liberty of Conscience, this Empire, this Patronage of the world, is the Kingdome of Christ. For as the Kingdome of God the Father, was a Commonwealth, so shall be the Kingdome of God the Son; *The people shall be willing in the day of his power*, Psal. 110. 3.

Having shewed you in this, and other places some of those inestimable benefits of this kinde of Government, together with the natural and facile emanation of them from their fountain. I come (lest God, who hath appeared unto you, for hee is the God of Nature, in the glorious Constellation of these subordinate causes, whereof wee have hitherto been taking the true elevation, should shake off the dust of his feet against you) to warn you of your dangers, which you, not taking the opportunity, will run by omission.

Machiavil speaking of the defect of *Venice*, through her want of proper Arms, cryes out (*Questo tagliogli le gambe da montar in cielo*) this cut her wings, and spoyled her mount unto heaven. If you lay your Commonwealth upon any other foundation, then the people, you frustrate your self of proper Arms, and so lose the Empire of the World; nor is this all, but some other Nation will have it.

Columbus offered gold unto one of your Kings, through whose happy incredulity, another Prince hath drunk the poyson;

even unto the consumption of his people; but I do not offer you a nerve of war that is made of purf-strings, such an one as hath drawn the face of the earth into convulsions, but such an one as is natural unto her health and beauty. Look you to it, where there is tumbling and tossing upon the bed of sickness, it must end in death, or recovery. Though the people of the world in the dregs of *Gothick* Empire, bee yet tumbling and tossing upon the bed of sickness, they cannot dye; nor is there any means of recovery for them, but by ancient prudence, whence of necessity it must come to pass; that this drug bee better known. If *France*, *Italy* and *Spain*, were not all sick, all corrupted together, there would bee none of them so, for the sick would not bee able to withstand the sound; nor the sound to preserve her health without curing of the sick. The first of these Nations (which if you stay her leasure, will in my minde bee *France*) that recovers the health of ancient Prudence, shall assuredly govern the world; for what did *Italy* when shee had it? And as you were in that, so shall you in the like case bee reduced unto a Province; I do not speak at randome. *Italy*, (*L. Amilio Papo. C. Attilio Regulo Cos.*) armed upon the *Gallick* Tumult that then happened of her self, and without the aid of forreign Auxiliaries, Seventy thousand Horse, and Seven hundred thousand Foot; but as *Italy* is the least of those three Countries in extent, so is *France* the greatest in Population.

I, decus, I nostrum, melioribus utere fatis.

My dear Lords, *Oceana* is as the Rose of Sharon, and the Lilly of the Valley. As the Lilly among thorns, such is my Love among the Daughters. She is comely as the Tents of Kedar, and terrible as an Army with Banners. Her neck is as the Tower of David, builded for an Armory, whereon there hang a thousand Bucklers, and Shields of mighty men. Let me hear thy voyce in the morning, whom my soul loveth. The South hath dropped, and the West is breathing upon thy Garden of Spices. Arise, Queen of the earth. Arise holy Spouse of Jesus, For lo the Winter is past, the Rain is over and gone. The Flowers appear on the earth, the

time

time of singing of birds is come, and the voyce of the Turtle is heard in our Land. Arise I say, come forth, and do not tarry; ah! wherefore should mine eyes behold thee by the rivers of Babylon, hanging thy harpes upon the willows, thou fairest among women?

Excellent Patriots. If the people bee soveraign, here is that which establisheth their Prærogative. If wee be sincere, here is that which disburdeneth our souls, maketh good all our engagements. If we be charitable, here is that which imbraceth all Partyes. If wee would bee settled, here is that which will stand.

If our Religion bee any thing else but a vain boast, scratching and defacing humane nature or reason, which being the image of God, makes it a kinde of murther, here is that Empire, whence *Justice shall runne down like a river, and judgement like a mighty stream*, Amos 5. 24. who is it then that calls us? or what is in our way? a Lyon, is it not *the Dragon that old Serpent*? for what wretched shifts are these? Here is a great deal, might wee not have some of this at one time, and some at another?

My Lords, permit me to give you the sum or brief

Epitome of the whole Common-Wealth.

The Center of Fundamental Lawes are first the Agrarian proportioned at two thousand pounds a year in Land, lying and being within the proper territory of Oceana, and so stating Propriety in Land at such a ballance, that the

Epitome of the
whole Com-
mon wealth.

Power can never warbe out of the hands of the many.

Secondly, The Ballot conveying this equal sap, from the root by an equal election or rotation, into the branches of Magistracy or Sovereign power.

The Orbes of this Common-wealth being Civil, Military, or Provincial, are as it were cast upon this Mold or Center, by the Divisions of the People; first into Citizens and Servants: Secondly, Into Youth and Elders: Thirdly, Into such as have one hundred pound a year in Lands, Goods, or Monies, who are of the Horse, and such as have under, who are of the Foot. Fourthly, by their usual residence into Parishes, hundreds, and Tribes.

The Civil Orbs consist of the Elders, and are thus Created, every Monday next ensuing the last of December, the Elders in every Parish, elect the fifth man to be a Deputy, half a days work, every Monday next ensuing the last of January, the Deputies meet at their respective hundred, and elect out of their number one Justice of the Peace, one Jury-man, one Coroner, and one High-Constable of the Foot: one days work.

Every Monday next ensuing the last of February, the hundreds meet at their respective Tribe, and there elect the Lords High-Sheriffe, Lieutenant, Custos Rotulorum, the Conductor, the two Censors out of the Horse, the Magistrates of the Tribe, and of the hundreds, with the Jury-men constituting the Phylarch, assist in their respective Offices at the Assizes, hold the Quarter Sessions, &c. The day following the Tribe elects, the annual Salary, consisting of two Knights, and three Deputies out of the Horse, with four Deputies of the Foot, thereby indued with Power, as Magistrates of the whole Nation for the term of three years: an Officer chosen at the hundred, may not bee elected a Magistrate of the Tribe, but a Magistrate or Officer, either of
the

the hundred or of the Tribe, being elected into the Salary may substitute any one of his own Order, unto his Magistracy or Office in the hundred, or in the Tribe; This of the Muster is two days work, so the body of the People is annually at the charge of three days work, and an half, in their own Tribes, for the perpetuation of their power, receiving over and above the Magistracies so divided among them.

Every Monday next ensuing the last of March; The Knights being an hundred in all the Tribes, take their places in the Senate; The Knights having taken their Places in the Senate, make the third Region of the same, and the house proceeds unto the Senatorian Elections. Senatorian Elections are annual, biennial, or emergent.

The Annual are performed by the Tropick.

The Tropick is a Scedule consisting of two parts; the first by which the Senatorian Magistrates are elected; the second, by which the Senatorian Councils are perpetuated.

The first part is of this Tenor.

The Lord Strategus.	{	Annual Magistrates, and therfore
The Lord Orator.		such as may bee elected out of any
The first Cenlor.		Region; the term of every region,
The second Cenlor.		having at the Tropick one year at the least unexpired.

The third Cômmissioner	{	Triennial Magistrates, and there-
of the Seal.		fore such as can bee chosen out of
The third Cômmissioner		the third Region only, as that a-
of the Treasury.		lone, which hath the term of three years unexpired.

The Strategus and the Orator sitting are Consuls; or Presidents of the Senate.

The

The Strategus marching is General of the Army, in which case a new Strategus is elected to sit in his room.

The Strategus sitting with the six Commissioners being Counsellors of the Nation, are the Signory of the Commonwealth.

The Censors are Magistrates of the Ballot, Presidents of the Council for Religion, and Chancellors of the Universities.

The second part of the Tropick, perpetuateth the Council of State, by the election of five Knights, out of the first Region of the Senate, to be the first Region of that Council, consisting of fifteen Knights, five in every Region.

The like is done by the election of four into the Council of Religion, and four into the Council of Trade, out of the same Region in the Senate, each of these Councils consisting of twelve Knights, four in every Region.

But the Council of Warre consisting of nine Knights, three in every Region, is elected by and out of the Council of State, as the other Councils are elected by and out of the Senate. And if the Senate add a Junta of nine Knights more, elected out of their own number, for the term of three months, the Council of Warre by vertue of that addition, is Dictator of Oceana for the said term.

The Signory jointly or severally hath right of Self-shon, and Suffrage in every Senatorian Council, and to propose either unto the Senate, or any of them. And every Region in a Council electing one weekly Provost; any two of those Provosts, have power also to propose unto their respective Council, as the proper and peculiar proposers of the same: for which cause they hold an Academy, where any man either by word of mouth, or writing, may propose unto the Proposers.

Next unto the elections of the Tropick, is the Biennial Election of one Embassador in ordinary, by the Ballot
of

of the house, unto the Residence of France, at which time the Resident of France, removes to Spain; he of Spain, to Venice, hee of Venice; to Constantinople, and hee of Constantinople returns. So the Orbe of the Residents, is wheeled about in eight years, by the Biennial election of one Embassadour in Ordinary.

The last kind of Election is emergent. Emergent Elections are made by the Scruteny. Election by Scruteny; is when a Competitor being made by a Council, and brought into the Senate: The Senate chooseth four more Competitors unto him, and putting all the five unto the Ballot, hee who hath most above half the Suffrages is the Magistrate. The Polemarches, or Field-Officers, are chosen by the Scruteny of the Council of Warre: An Embassadour extraordinary by the Scruteny of the Council of State: the Judges and Serleants at Law by the Scruteny of the Seal, and the Barons, and prime Officers of the Exchequer, by the Scruteny of the Treasury.

The opinion, or opinions that are legitimately proposed unto any Council must bee Debated by the same, and so many as are resolved upon the debate, are introduced into the Senate, where they are Debated and resolved, or reiected by the whole house: that which is resolved by the Senate is a Decree, which is good in matter of State, but no law except it bee proposed unto, and resolved by the prerogative.

The Deputies of the Galary being three horse and four foot in a Tribe, amount in all the Tribes unto one hundred and fifty horse, and two hundred foot, which having entred the Prerogative, and chosen their Captains, Cornet and Ensign (triential Officers,) make the third Classis consisting of one Troop, and one Company, and so joyning with the whole Prerogative, elect four annual Magistrates, called Tribunes; whereof two are of the horse, and two of the foot, these have the command of

of the Prerogative Sessions and Suffrage in the Council of war, and Sessions without Suffrage in the Senate.

The Senate having past a Decree which they would propose unto the people, cause it to be printed and published, or promulgated for the space of six weeks, which being Ordered, they choose their Proposers, The Proposers must bee Magistrates, that is, the Commissioners of the Seal, those of the Treasury, or the Censors. These being chosen, desire the Muster of the Tribunes, and appoint the day. The people being assembled at the day appointed, and the Decree proposed, that which is proposed by authority of the Senate, and commanded by the People is the Law of Oceana, or an Act of Parliament.

So the Parliament of Oceana consisteth of the Senate proposing, and the People resolving.

The People, or Prerogative are also the Supreme Judiciary of this Nation, having power of hearing and determining all Causes of appeal from all Magistrates, or Courts Provinciall, or Domestick, as also to question any Magistrate, the term of his Magistracy being expired: if the Case be introduced by the Tribunes or any one of them.

The Military Orbs consist of the Youth, that is, such as are from eighteen to thirty years of age: and are thus created.

Every Wednesday next ensuing the last of December, the Youth of every Parish assembling, elect the fifth of their number to be their Deputies, the Deputies of the Youth, are called Stratiots, and this is the first Essay.

Every Wednesday next ensuing the last of January, the Stratiots assembling at the hundred, elect their Captain and their Ensign, and fall to their game.

Every Wednesday next ensuing the last of February, the Stratiots are received by the Lord Lieutenant their Com-

mandes

mander in Chief, with the Conductors and the Censors; and having been disciplin'd and entertained with other Games, are called unto the Urnes, where they elect the second Essay, consisting of two hundred horse and six hundred foot in a Tribe, that is, often thousand horse, and thirty thousand foot in all the Tribes, which is the standing Army of this Nation, to march at any warning; they also elect at the same time, a part of the third Essay, by the mixture of balls marked with the letter M, and the letter P. for Marpesia and Panopea, they of either mark being ten horse and fifty foot in a Tribe, that is, five hundred horse and two thousand foot in all the Tribes, which are forthwith to march to their respective Provinces.

But the third Essay of this Nation more properly so called, is when the Strategus with the Polemarches (the Senate and the People, or the Dictator having Decreed a Warre) receive in return of his Warrants the second Essay from the hands of the Conductors at the Rendezbour of Oceana, which Army marching with all Accommodations, Provided by the Council of Warre, the Senate elects a new Strategus and the Lords Lieutenants, a new second Essay.

A Youth except he bee an onely sonne, refusing any one of his three Essays without sufficient cause, shewn unto the Phylarch, or the Censors, is incapable of Magistracy, and is fined a fift part of his yearly rent, or of his Estate for Protection. In case of Invasion the Elders are obliged unto like duty with the Youth, and upon their own Charge.

The Provincial Dybe consisting in part of the Elders; and in part of the Youth, is thus created.

Four Knights out of the first Region falling, are elected in the Senate, to bee the first Region of the Provincial Dybe of Marpesia, these being triennial Magistrates, take their places in the Provincial Council, consisting

of twelve Knights, for in every Region, each Region choosing their weekly Provosts, of the Council thus constituted, one Knight more chosen out of the same Region in the Senate, being an annual Magistrate is President, with power to propose, and the opinions proposed by the President, or any two of the Provosts are Debated by the Council, and if occasion bee of farther power or instruction, than they yet have transmitted unto the Council of State, with which the Provincial is to hold Intelligence.

The President of this Council is also Strategus, or General of the Provincial Army, wherefore the Conductors upon notice of his Election, and appointment of his Rendezvous, deliver unto him the Stratagems of his Letter, which hee takes with him into his Province: and the Provincial Army having received the new Strategus, with the third Classis, the Council dismisseth the old Strategus with the first Classis. The like is done for Panopea, or any other Province.

But whereas the term of every other Magistracy or election in this Commonwealth, whether annual or triennial, requireth an equal vacation, the term of a Provincial Counsellor or Magistrate, requireth no vacation at all. The Term of a Provincial, as also that of every other Council and assembly, requireth two thirds in a time of health, and one third in a time of sickness.

(*Insula Portum*

Efficit objectu laterum, geminique minantur

In cælum scopuli, quorum suo vertice latè

Aquora tuta silent)

I think I have omitted nothing, but the Props and Scaffolds which are not of use but in building. And how much is here? Shew me another Commonwealth in this compass? How many things? Shew me another intire Government consisting
but

but of thirty Orders. If you go to suit there lye unto some of your Courts two hundred original Writs; If you stir your hand, there go more nerves and bones unto the motion; If you play, you have more Cards in the pack; nay you could not sit with your ease in that chair, if it consisted not of more parts, will you not allow unto your Legislator, what you can afford your Upholster; unto the Throne, what is necessary to a Chair?

My Lords, If you will have fewer Orders in a Commonwealth you will have more; for where she is not perfect at first, every day, every houre will produce a new Order, the end whereof is to have no Order at all; but to grinde with the clack of some *Demagoge*; Is hee providing already for his golden Thumb? Lift up your heads; Away with Ambition, that fulsome complexion of a States-man, tempered like *Sylla's* (*Luto cum sanguine*) with blood and muck. *And the Lord give unto his Senators wisdom, and make our faces to shine, that we may be a light unto them that sit in darkness, and the shadow of death, to guide their feet in the way of peace.* --- In the Name of God, What's the matter! ---

Philadelphus the Secretary of the Council, having performed his task in reading the several Orders; as you have seen, upon the receipt of a Packet, it should seem from his correspondent *Boccalini*, Secretary of *Parnassus*, in reading one of the letters, burst forth into such a violent passion of weeping, and down-right howling, that your Legislators being startled with the apprehension of some horrid news; one of them had no sooner snatched the letter out of his hand, then the rest crying Read, Read, he obeyed in this manner.

The third instant, his *Phæbean* Majesty, having taken the nature of free States into his Royal consideration; and being steadily perswaded, that the Laws in such Governments are incomparably better, and more assuredly directed unto the good of mankind, than in any other, that the courage of such a people is the aptest tinder, unto noble fire, that the genius of such a soyl is that wherein the roots of good literature are least

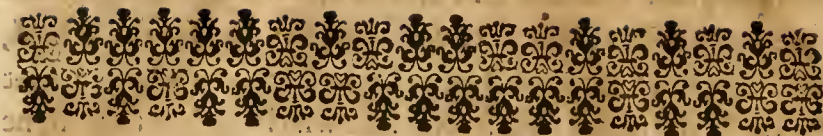
Trajno,
Boccalini,
Centuria 1.
Ragual. 21.

fruitful in her gratitude, he had dropp'd her fair liberty like the dew of heaven, which when the *Roman* Tyrant beheld, and how much more fresh that Lawrel was worn with a root in the hearts of the people, than that which hee had torn off, he fell into such horrid distortion of limbs and countenance, that the Senators who had thought themselves steel and flint at such an object, having hitherto stood in their reverent snow like thawing Alpes, now covered their faces with their large sleeves.

My Lords (said the *Archon* rising) witty *Philadelphus*, hath given us a grave admonition in a dreadful Tragedy (*Discite justitiam moniti, & non temnere divos*) Great and glorious *Cæsar*, the highest character of flesh, yet could not rule but by that part of man, which is the beast, but a Commonwealth is a Monarchy, to hear God is King, in as much as reason his dictate, is her Sovereign Power.

Which said, he adjourned the Council. And the Model being soon after promulgated (*Quod bonum sælix, faustumque sit huic Reipub. Agite quirites, censuere patres, jubeat populus*) The Sea roared, and the Floods clapt their hands.

LIBERTAS



LIBERTAS

The Proclamation of his Highnesse the
 Lord *Archon* of *Oceana*, upon
 Promulgation of the
 Model.



Whereas his Highness and the
 Council, in the framing of the
 modell promulgated, have not
 had any private interest, or
 ambition, but the fear of God,
 and the good of this people
 before their eyes, and it remains their desire,
 that this great Work may bee carried on accor-
 dingly, this present greeting is to inform the
 good people of this Land, that as the Coun-
 cil of Prytans sate, during the framing of the
 model, to receive from time to time, such pro-
 positions as should be offered, by any wise
 hearted or publick spirited man, towards the
 institution of a well ordered Common-Wealth,
 so the said Council is to sit as formerly in the
 great Hall of the Pantheon, during Promul-
 gation.

See the
 course of the
Decemvirs
 in the pro-
 mulgation of
 the first ten of
 their twelve
 Tables in
Livy.

gation, which is to continue for the space of three months, to receive, Weigh, and as there shall bee occasion, transmit, unto the council of Legislators, all such objections as shall be made against the said Model, whether in the whole, or in any part. Wherefore that nothing bee done rashly, or without consent of the people, such of what party soever, with whom there may remain any doubts or difficulties, are desired with all convenient speed to address themselves unto the said Prytans, where if such objections, doubts, or difficulties receive solution unto the satisfaction of the auditory, they shall have publick thanks, but if the said objections, doubts, or difficulties, receive no solution unto the satisfaction, of the auditory, then the model promulgated shall bee reviewed, and the party that was the occasion of the review, shall receive publick thanks, together with the best horse in his Highnesses Stable, and bee one of the Council of Legislators. And so God have you in his keeping.

I should now write the same Council of the *Prytans*, but for two reasons, the one, that having had but a small time for that which is already done, I am over-laboured; The other, that there may be new objections: Wherefore if my Reader have any such as to the Model, I intreat him to address himself by way of Oration, as it were unto the *Prytans* that when this rough draught

draught comes to be a work, his speech being faithfully inserted in this place, may give, or receive correction unto amendment. For what is written will be weighed but conversation, in these dayes is a game, at which they are best provided that have light Gold

Arist. Rhet. It is like the sport of women that make flowers of straws, which must be stuck up, but may not be touched. Nor, which is worse, is this the fault of conversation onely. But to the Examiner, I say, *If to invent method, and to teach an art, be all one, Let him shew that this Method is not truly invented, or this Art is faithfully taught.*

I cannot conclude a Circle, (and such is this Commonwealth) without turning the end into the beginning. The time of Promulgation being expired, the Surveyors were sent down, who having in due season made report that their work was perfect, the *Orators* followed, under the administration of which officers, & Magistrates the Commonwealth was ratified and established by the whole body of the people, *Curiatis, Centuriatis, and Tributis Comitibus*. And the Orators being by vertue of their Scroles or lots, members of their respective Tribes, were elected each first Knight of the third List, or Galaxy: Wherefore having at their return, assisted the *Archon* in putting the Senate, and the People or Prerogative into motion, they abdicated the Magistracy both of Orators and Legislators.

The Corollary.



OR the rest (sayes *Plutarch* closing up the story of *Lycurgus*) when he saw that his Government had taken root, and was in the very Plantation strong enough to stand by it self; he conceived such a delight within him, as *GOD* is described by *Plato* to have done, when he had finished the Creation of the World, and saw his owne Orbes move below him: For in the Art of Man, being the imitation of nature, which is the * Art of *GOD*, there is nothing * *Hobbes.* so like the first Call of beautifull Order, out of Chaos and Confusion, as the Architecture of a well order'd Commonwealth. Wherefore *Lycurgus* seeing in effect, that his Orders were good, fell into deep Contemplation how he might render them, so far forth as is in humane providence, unalterable and immortall. To which end he assembled the People, and remonstrated unto them, that for ought he could perceive, their Policy was already such, and so well established, as was sufficient to entayle upon them and theirs, that virtue and felicity whereof humane Life is Capable.

Neverthelesse, there being another thing of greater Concernment then all the rest, whereof he was not yet provided to give them a perfect accompt, nor could, till he had consulted the Oracle of *Apollo*; he desired that they would observe his Lawes, without any change or alteration whatsoever, till his return from *Delphos*; unto which all the People chearfully and unanimously engaged themselves by promise, desiring him that he would make as much hast as he could. But *Lycurgus* before he went, began with the Kings and the Senators, and thence taking the whole People in Order, made them all swear unto that which they had promised, and then took his Journey. Being arrived at *Delphos*, he sacrificed unto *Apollo*, and afterwards enquired if the policy which he had established, were good and sufficient for a virtuous and an happy Life. (It hath been a Maxime with Legislators, not to give Checks unto the present Superstition, but to make the best use of it, as that which is alwayes the most powerfull with the People; otherwise though *Plutarch* being a Priest, was interested in the cause, there is nothing plainer then *Cicero* in his Book *De Divinatione* hath shewed it, that there was never any such thing as

an Oracle, except in the Art of the Priests. But to be civill unto the Author.) The *God* answered *Lycurgus*, that his policy was exquisite, and that his City holding unto the strict observation of his forme of Government, should attain unto the height of fame and glory. Which Oracle *Lycurgus* causing to be written, failed not to send unto his *Lacidemon*. This done, that his Citizens might be for ever inviolably bound by their Oath, that they would alter nothing till his return, he took so firm a Resolution to dye in the Place, that from thence forward receiving no manner of food, he soone after performed it accordingly. Nor was he deceived in the Consequence, for his City became the first in glory and excellency of Government in the whole World. And so much for *Lycurgus* according to *Plutarch*.

My Lord *Archon* when he beheld not onely the rapture of motion, but of joy and harmony, into which his Sphears without any manner of Obstruction or enterfering, but as it had been naturally were cast, conceived not les of exultation in his Spirit, but saw no more necessity or reason why he should administer an Oath unto the Senate and the People, that they would observe his Institutions, then unto a Man in perfect health, and felicity of Constitution that he would not kill himself. Nevertheless whereas Christianity though it forbid violent hands, consisteth no lesse in Self denial then any other Religion, he resolved that all carnall Concupiscence should dye in the Place, to which end that no manner of Food might be left unto ambition, he entred into the Senate with an unanimous Applause, And having spoken of his Government as *Lycurgus* did when he assembled the People, abdicated the Magistracy of *Archon*. The Senate as stricken with astonishment continued silent, Men upon so suddain an Accident being altogether unprovided of what to say ; till the *Archon* withdrawing, and being almost at the doore, divers of the Knights flew from their Places offering as it were to lay violent hands on him, while he escaping left the Senate with the tears in their eyes of Children that had lost their Father, and to rid himself of all farther importunity, retired unto a Country house of his, being remote and very private, in so much that no Man could tell for some time what was become of him. Thus the Law-Maker happened to be the first object and reflection of the Law made : For as Liberty of all things is the most welcome unto a People, so is there nothing more abhorrent from their nature then ingratitude. We accusing the *Roman* People of this Crime against some of their greatest Benefactors, as *Camillus*, heap mistake upon mistake, for being not so competent Judges of what belongs unto Liberty as they were,

were, we take upon us to be more competent Judges of virtue. But whereas virtue for being a vulgar thing among them, was of no lesse rate then Jewels are with such as wear the most; we are selling this stone which we have ignorantly raked out of the *Roman* ruders, at such a rate as the *Switz* did that which they took in the Baggage of *Charles of Burgundy*: For that *Camillus* had stood more firme against the Ruine of *Rome* then her Capitol, was acknowledged: But on the other side that he stood as firme for the *Patricians* against the Liberty of the People was as plain; wherefore he never wanted of the People that would dye at his foot in the Field, nor that would withstand him to his beard in the City. An example in which they that think that *Camillus* had wrong, neither doe themselves right nor the People of *Rome*, who in this signifie no lesse then that they had a scorn of slavery beyond the fear of Ruine, which is the height of Magnanimity. The like might be shewn by other examples, objected against this, and other Popular Government, as in the Banishment of *Aristides* the Just from *Athen*, by the Ostracisme, which first was no punishment, nor ever understood for so much as a disparagement, but tended only to the Security of the Commonwealth, through the removall of a Citizen, whose Riches or Power with a party was suspected, out of harms way for the space of ten years, neither to the diminution of his Estate or Honour. And next though the virtue of *Aristides* might in it self be unquestioned, yet for him under the name of the Just to become Universal Umpire of the People in all cases, even to the neglect of the Legall wayes and orders of the Commonwealth, approached so much unto the Prince, that the *Athenians* doing *Aristides* no wrong, did their Government no more then right in removing him, which therefore is not so probable to have come to passe as *Plutarch* presumeth, through the envy of *Themistocles*: seeing *Aristides* was far more popular then *Themistocles*, who soon after took the same walk upon a worse occasion. Wherefore as *Machiavill* for any thing since alleadged hath irrefragably proved that Popular Governments are of all other the least ingratefull, so the obscurity (I say) into which my Lord *Archon* had now withdrawn himself, caused an universall sadnesse and cloud in the minds of Men upon the glory of his rising Commonwealth.

Much had been ventilated in private discourse, and the People (for the Nation was divided into Parties that had not yet lost their animosities) being troubled, bent their eyes upon the Senate, when after some time spent in devo-

tion, and the solemn Action of Thanksgiving, his Excellency *Navarchus de Paralo* in the Tribe of *Doreau*, Lord Strategus of *Oceana* (though in a new Commonwealth a very Prudent Magistrate) proposed his part or Opinion in such manner unto the Council of State, that passing the Ballott of the same with great unanimity and applause, it was introduced into the Senate, where it past with greater. Wherefore the Decree being forthwith Printed and Published, Copies were returned by the Secretaries unto the *Phylarches* (which is the manner of Promulgation) and the Commissioners of the Seal, that is to say, the Right Honourable *Phosphorus de Auge* in the Tribe of *Eudia*, *Dolabella d'Enyo* in the Tribe of *Turma*, and *Linceus de Stella* in the Tribe of *Nubia* being elected Proposers *pro tempore*, bespoke of the *Tribunes* a Muster of the People to be held that day 6 weeks, which was the time allowed for Promulgation, at the *Halo*.

The Satisfaction which the People throughout the Tribes received upon promulgation of the Decree, loaded the Carriers with weekly Letters between Friend & Friend, whether Magistrates or private Persons. But the day for Proposition being come, and the Prærogative upon the Place appointed in Discipline, *Sanguine de Ringwood* in the Tribe of *Saltum* Captain of the *Phœnix* marched by Order of the *Tribunes* with his Troop unto the *Piazza* of the *Pantheon*, where his Trumpets entering into the great Hall by their Blazon gave notice of his Arrivall, at which the Sergeant of the House came downe, and returning informed the Proposers, who descending were received at the foot of the Staires by the Capitaine, and attended unto the Coaches of State, with which *Calcar de Gilvo* in the Tribe of *Phalera* Master of the Horse, and the *Ballotins* upon their great Horses stood waiting at the Gate

The Proposers being in their Coaches, the Trainee being for the Pompe the same that is used at the reception of Embassadors, proceeded in this order, In the Front marched the Troop with the Cornet in the van, and the Capitaine in the rear: next the Troop came the twenty Messengers or Trumpets; the *Ballotins* upon the Corvet with their Usher in the van, and the Master of the Horse in the Rear: Next the *Ballotins* *Bronchus de Ranco* in the Tribe of *Bestia* King of the *Herraulds* with his fraternity in their Coats of Arms; And next unto *S^r Brochus*, *Boristenes de Holiwater* in the Tribe of *Ave* Master of the Ceremonies: The Mace and the Seale of the Chancery went immediately before the Coaches, and on either side the doore-keepers or Guard of the Senate with their Pole-axes, accompanied with some three, or four hundred

dred Footmen, belonging unto the Knights or Senators ; The Trumpeters *Ballotins*, Guards, Postilions, Coach-men, and Foot-men being very gallant in the Liveries of the Common-wealth, but all except the *Ballotins* without hatts, in lieu whereof they wore black velvet calots being pointed with a little peake at the forehead. After the Proposers, came a long file of Coaches full of such Gentlemen as use to grace the Commonwealth upon like occasions. In this posture they moved slowly through the Streets, affording in the Gravity of the Pomp, and the welcomnesse of the end, a most reverent and acceptable Prospect unto the People from the *Pantheon* to the *Halo*, being about half a mile, arrived at the *Halo*, where they found the Prerogative in a close body inviron'd with Scaffolds that were covered with Spectators: The *Tribunes* received the Proposers, and conducted them into a seat placed in front of the Tribe, like a Pulpit, but that it was of some length, and well adorned by the Herraulds, with all manner of Birds and Beasts, save that they were ill Painted, and never a one of his naturall colour. The *Tribunes* were placed at a Table that stood below the long seat, those of the Horse in the middle, and those of the Foot at either end, with each of them a bowle or bason before him, that on the right hand being white, and the other green: in the middle of the Table stood a third which was red. And the House-keeper of the Pavillion who had already delivered a proportion of linnen balls or pellets unto every one of the Tribe, now presented boxes unto the *Ballotines*. But the Proposers as they enter'd the Gallery, or long Seat, having put off their Hats by way of Salutation, were answered by the People with a shout, whereupon the younger Commissioners seated themselves at either end, and the first standing in the middle, spake after this manner.

My Lords,

My Lords, the People of
OCEANA.



WHILE I find in my self what a felicity it is to Salute you by this Name, and in every face anointed as it were with the Oyle of Gladnesse, a full and sufficient testimony of the like sense. To goe about to feast you with words, who are already filled with that food of the mind, which being of pleasing and wholesome digestion, taketh in the disinction of true joy, were a needlesse enterprize. I shall rather remember you of that thankfulnesse which is due, then puff you up with any thing that might seeme vaine. Is it from the armes of flesh that we derive these Blessings? Behold the Common wealth of *Rome* falling upon her owne victorious Sword. Or is it from our own Wisedome, whose Counsells had brought it even to that passe that we began to repent our selves of Victory? Far be it from us (my Lords) to Sacrifice unto our owne Nets, which we our Selves have so narrowly escaped; Let us rather lay our mouths in the dust, and look up, (as was taught the other day when we were better instructed in this Lesson) unto the Hills with our gratitude. Nevertheless seeing we read how GOD upon neglect of his Prophets hath been provoked unto wrath; it must needs follow that he expecteth Honour should be given unto them by whom he hath chosen to worke as his Instruments. For which cause nothing doubting of my warrant, I shall proceed unto that which more particularly concerneth the present occasion, the discovery of my Lord *Archons* virtues and merit to be ever placed by this Nation in their true Meridian.

My Lords,

I Am not upon a subject which perswadeth me to balk, but necessitateth me to seek out the greatest examples. To begin with *Alexander* erecting Trophies common with his Sword and the Pestilence; to what good of Mankind did he infect the ayre with his heaps of carcases? The sword of war, if it be any otherwise used then

as

as the sword of magistracy for the feare and punishment of those that doe evil, is as guilty in the sight of G O D, as the Sword of a Murderer; nay more, for if the blood of *Abel*, of one innocent Man, cryed in the ears of of the Lord for Vengeance, What shall the blood of an innocent Nation? Of this kind of Empire, the Throne of Ambition, the quarry of a mighty Hunter, it hath been truly sayd, that it is but a great Robbery. But if *Alexander* had restored the Liberty of *Greece*, and propagated it unto Mankind, he had done like my Lord *Archon*, and might have been truly call'd the Great. *Alexander* cared not to steale a victory, that would be given. But my Lord *Archon* hath torne away a victory which had been stolne, while we were tamely yeelding up Obedience unto a Nation reaping in our Fields, whose fields he hath subjected unto our Empire, and nayled them with his victorious Sword unto their native *Caucasus*.

Machiavill gives an handsome Caveat, Let no man (sayth he) be circumvented with the Glory of *Cæsar*, from the false reflection of their pens, who through the longer continuance of his Empire in the name then in the family, changed their freedome for flattery. But if a man would know truly what the *Romans* thought of *Cæsar*, lett him observe what they said of *Catiline*.

And yet by how much he who hath perpetrated some heighnous Crime, is more execrable then he who did but attempt it: by so much is *Cæsar* more execrable then *Catiline*. To the contrary let him that would know what ancient and heroicall times, what the *Greeks* and *Romans* would both have thought and sayd of my Lord *Archon*; Observe what they thought and sayd of *Solon*, *Lycurgus*, *Brutus*, and *Publicola*. And yet by how much his vertue that is crown'd with the perfection of his worke, is beyond theirs, who were either inferiour in their ayme, or in their performance, by so much is my Lord *Archon* to be preferred before *Solon*, *Lycurgus*, *Brutus*, and *Publicola*.

Nor will we shun the most illustrious example of *Scipio*; this *Hero*, though never so little lesse, yet was he not the founder of a Common-wealth, and for the rest allowing his rue to have been of the most untainted ray, in what did it out thine this of my Lord *Archon*? But if dazling the eyes of the Magistrates it over-awed Liberty, *Rome* might be allowed some excuse that She did not like it, and I, if I admit not of this comparison. For where is my Lord *Archon*? Is there a Genius, how free soever, which in his presence would not find it self to be under power? He is shrunk into Clouds, he seeks obscurity in a Nation that sees by his light. He is im-

impatient of his own Glory, least it should stand between you and your Liberty.

Liberty ! What is that, if we may not be gratefull ? And if we may, we have none : For who hath any thing he doth not owe ? My Lords, there be some hard conditions of virtue : If this debt were exacted, it were not due ; whereas being cancel'd, we are all entred into Bonds. On the other side, if we make such payment as will not stand with a free People, we doe not enrich my Lord *Archon*, but Rob him of his whole estate, and of his immence glory.

These Particulars had in due deliberation, and mature debate, according unto the orders of this Common-wealth. *It is proposed by Authority of the Senate to you my Lords the People of Oceana.*

I. **T**hat the Dignity and Office of *Archon*, or *Protector* of the Common-wealth of *Oceana*, be, and is hereby confer'd by the Senate and the People of *Oceana*, upon the most Illustrious Prince, and sole Legislator of this Common-wealth, *Olpharus Megaletor* (*Pater Patriæ*) whom God preserve, for the terme of his naturall Life.

II. That three hundred and fifty thousand pounds *per annum* yet remaining of the ancient Revenue, be estated upon the said illustrious Prince, or Lord *Archon*, for the said terme, and to the propper and peculiar use of his Highnesse.

III. That the Lord *Archon* have the reception of all Forreigne Embassadors, by and with the Councill of State, according unto the orders of this Common-wealth.

IV. That the Lord *Archon* have a standing Army of twelve thousand Men, defrayed upon a monethly tax, during the terme of three years, for the Protection of this Common-wealth, against dissenting Parties, to be govern'd, directed, and Commanded by, and with the advice of the Council of War, according unto the Orders of this Common-wealth.

V. That this Common-wealth make no distinction of Persons or Parties, but every man being Elected and sworn, according unto the Orders of the same, shall be equally capable of Magistracy ; or not Elected, shall be equally capable of Liberty, and the enjoyment of his Estate free from all other then common Taxes.

VI. That a man putting a distinction upon himself, refusing the Oath upon Election, or declaring himself of a party, not conformable to the civil Government, may within any time of the three years standing of the Army, transport himself and his Estate, without molestation or impediment, into any other Nation.

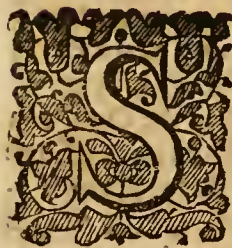
VII. That

VII. That in case there remain any distinction of Parties not conforming unto the civil Government of this Commonwealth, after the three years of the standing Army be expired, and the Commonwealth be thereby forced to prolong the terme of the said Army, the pay from thenceforth of the said Army, shall be levied upon the Estates of such parties so remaining unconformable unto the Civil Government.

The Proposer having ended his Oration, the Trumpets sounded, and the *Tribunes* of the Horse being mounted to view the *Ballot*, caused the Tribe which thronging up to the Speech, came almost round the Gallery, to retreat a matter of twenty paces, when *Linceus de Stella* receiving the Propositions, repaired with *Bronchus de Rauco* the Herald, unto a little Scaffold erected in the middle of the Tribe, where he seated himself, the Herrault standing bare upon his right hand. The *Ballotines* having their boxes ready, stood before the Gallery, and at the Command of the *Tribunes* marched, one unto every Troop on Horseback, and one unto every Company on foot, each of them being followed by other Children that bore red boxes, (this is putting the Question whether the Question should be put.) And the Suffrage being very suddainly returned unto the *Tribunes* of the Table, and number'd in the view of the Proposers, the Votes were all in the Affirmative; whereupon the red, or doubtful Boxes were laid aside, it appearing that the Tribe whether for the Negative or Affirmative, was clear in the matter. Wherefore the Herrault began from the Scaffold in the middle of the Tribe to pronounce the first Proposition, and the *Ballotines* marching with the Negative and Affirmative only: *Bronchus* with his voyce like Thunder, continued to repeat the Proposition over and over again so long as it was in Balloting: The like was done for every Clause, till the Ballot was finisht, and the *Tribunes* assembling had signed the points, that is to say, the number of every Suffrage, as it was taken by the Secretary upon the tale of the *Tribunes*, and in the sight of the Proposers; for this may not be omitted, it is the pulse of the People. Now whereas it appertaineth unto the *Tribunes* to report the Suffrage of the people unto the Senate, they cast the Lot for this Office with three silver Balls, and one gold one, and it fell upon the R^t Worshipfull *Argus de Crookhorne*, in the Tribe of *Pascua*, first *Tribune* of the Foot. *Argus* being a good sufficient Man in his own Country, was yet of the mind that he should make but a bad spokes man, and therefore became something blank at his Luck, till his colleagues perswaded him that it was no such great matter, if he could but read, have-

ing his Paper before him. The Proposers takeing Coach, received a volley upon the Field, and returned in the same Order, save that being accompanied with the *Tribunes*, they were also attended by the whole *Prærogative* unto the *Piazza* of the *Panthcon*, where with another volley they took their leaves. *Argus*, who had not thought upon his Wife and Children all the way, went very gravely up, and every one being seated, the Senate by their silence seemed to call for the Report, which *Argus* standing up, delivered in this wise.

*Right Honourable Lords
and Fathers Assembled
in Parliament,*



O it is, that it hath falne unto my Lot to report unto your Excellencies the Votes of the People, taken upon the third instant, in the first year of this Commonwealth, at the *Halo*; the R^t Honourable *Phosphorus de Ange*, in the Tribe of *Eudia*, *Dolabella d' Enyo*, in the Tribe of *Turmae*, and *Linceus de Stella*, in the Tribe of *Nubia*, Lords Commissioners of the Great Seal of *Oceana*, and Proposers *pro temporibus* — Together with my Brethren the *Tribunes*, and my Self being present. Wherefore these are to certifie unto your Fatherhoods, that the said Votes of the People were as followeth; that is to say.

- Unto the first Proposition, *Nemine Contradicante* —
- Unto the second *Nomine Contradictante* —
- Unto the third, the like.
- Unto the fourth 211 above half.
- Unto the fifth 201 above half.
- Unto the sixth 150 above half, in the Affirmative.
- Unto the seventh, *Nomine* again, and so forth —

My Lords, it is a Language that is out of my Prayers, and if I be out at it, no harm —

But as concerning my Lord *Archon* (as I was saying) these are to signifie unto you, the true-heartednesse, and good will which is in the People, seeing by joyning with you, as one Man, they confesse that all they have to give, is too little for his Highnesse. For truly (Fathers) if he who is able to doe harm, and doth none, may well be called honest.

nest. What shall we say unto my Lord *Archon's* Highnesse, who having had it in his power to have done us the greatest mischief that ever befell a poor Nation, so willing to trust such as they thought well of, hath done us so much good, as we should never have known how to doe our selves? which was so sweetly delivered by my Lord Chancellor *Phosphorus*, unto the People, that I dare say there was never an one of them could forbear to doe as I doe—
 An't please your Fatherhoods they be tears of Joy. Ah my Lord *Archon* shall walk the streets (an it be for his ease I mean) with a Switch, while the People run after him, and pray for him: he shall not wet his foot, they will strew flowers in his way: he shall sit higher in their hearts, and in the judgement of all good Men, then the Kings that goe up stairs unto their seats, and one of these had as good pull two or three of his Fellowes out of their great Chaires, as wrong him, or meddle with him; he ha's two or three hundred thousand Men, that when you say the word, shall sell themselves unto their shirts for him, and dye at his foot. His Pillow is of Down, and his grave shall be as soft, over which they that are alive shall wring their hands. And to come unto your Fatherhoods, most truly so called, as being the loving Parents of the People; truly you doe not know what a feeling they have of your Kindnesse, seeing you are so bound up, that if there come any harm, they may thank themselves: And (alasse! poor souls) they see that they are given to be of so many minds, that though they always mean well, yet if there come any good, they may thank them that teach them better. Wherefore there was never such a thing as this invented, they doe verily believe that it is none other then the same which they always had in their very heads, if they could have but told how to bring it out: As now for a sample, My Lords the Proposers had no sooner said your minds, then they found it to be that which heart could wish. And your Fatherhoods may comfort your selves, that there is not a People in the world more willing to learn what is for their own goods, nor more apt to see it, when you have shew'd it them: Wherefore they doe love you as they doe their own selves, Honour you as Fathers, resolve to give you as it were Obedience for ever; and so thanking you for your most good and excellent Lawes, they doe pray for you as the very Worthies of the Land, Right Honourable Lords and Fathers assembled in Parliament.

Argus came off beyond his own expectation, for thinking right, and speaking as he thought, it was apparent by the House, and the thanks they gave him, that they esteemed

him to be absolutely of the best sort of Orators, upon which having a mind that till then misgave him, he became very Crounse, and much delighted with that which might goe down the next week in Print un'o his Wife, and his Neighbours. *Livy* makes the *Roman Tribunes* to speak in the same stile with the Consuls, which could not be, and therefore for ought in him to the contrary, *Volero & Canuleius* might have spoken no otherwise forth their stile, then *Argus*. However they were not created the first year of the Commonwealth; and the *Tribunes of Oceana* are since become better Orators then were needfull. But the Lawes being Enacted, had the Preamble annexed, and were delivered unto *Bronchus*, who loved nothing in the Earth so much as to goe staring and bellowing up and down the Town, like a Staggs in a Forrest, as he now did, with his Fraternity in their Coats of Arms, and I know not how many Trumpets, Proclaiming the Act of Parliament, when meeting my Lord *Archon* (who from a retreat that was without Affectation, as being for Devotion only, and to implore a blessing by Prayer and Fasting, upon his labours, now newly Arrived in Town) the Herault of the Tribe of *Bestia*, set up his throat, and having chaunted out his Lesson, past as haughtily by him, as if his own had been the better Office; which in this place was very well taken, though *Bronchus* for his high mind, happened afterwards upon some disasters (too long to tell) that spoyled much of his Embroidery.

My Lord *Archons* arrivall being known, the Signory accompanied by the *Tribunes*, repaired unto him, with the newes he had already heard by the Herrault: to which my Lord *Strategus* added, That his Highnesse could not doubt upon the Demonstrations given, but the minds of men were firme in the opinion, that he could be no seeker of himselfe, in the way of earthly Pompe and Glory; and that the Gratitude of the Senate, and the People, could not therefore be understood to have any such reflection upon him; But so it was, that in regard of dangers abroad, and Parties at home, they durst not trust themselves, without a standing Army, nor a standing Army in any mans hands, but those of his Highnesse.

The *Archon* made answer, that he ever expected this would be the sense of the Senate, and the People, and this being their Sence, he should have been sorry they had made choice of any other then himselfe for a standing Generall; First, because it could not have been more unto their owne safety, and secondly, because so long as they should have need of a standing Army, his worke was not done. That he would not dispute against the Judgement of the Senate,
and

and the People, nor ought that to be: Nevertheless, he made little doubt, but experience would shew every Party their owne Interest in this Government, and that better improved, then they could expect from any other; that mens animosities should over ballance their Interest, for any time, was impossible, that humor could never be lasting, nor through the Constitution of the Government, of any effect at the first charge. For supposing the worst, and that the People had chosen none other into the Senate, and the Prerogative, then royalists, a matter of Fourteen hundred men must have taken their Oaths at their Election, with an intention to go quite contrary, not only to their Oaths so taken, but to their own Interest; for being estated in the Sovereign Power, they must have decreed it from themselves, (such an example as for which there was never any experience, nor can be any reason) or holding it, it must have done in their hands as well every whit, as in any other. Furthermore, they must have removed the Government from a Foundation that apparantly would hold, to set it upon another which apparantly would not hold, which things if they could not come to passe, the Senate and the People, consisting wholly of Royallists, much lesse by a parcel of them elected. But if the feare of the Senate and of the People, derived from a party without such an one as would not be elected, nor engage themselves unto the Common-wealth by any oath: this againe must be so Large, as would go quite contrary to their owne Interest, they being as free and as fully estated in their liberty, as any other, or so narrow that they could do no hurt, while the People being in Arms, and at the beck of the *Strategus*, every Tribe would at any time make a better Army, then such a Party, and there being no parties at home, fears from abroad, would vanish. But seeing it was otherwise determined by the Senate, and the People, the best course was to take that which they held the safest, in which with his humble thanks for their great bounty, he was resolved to serve them with all duty and obedience.

A very short time after, the Royallists now equall Citizens, made good the *Archons* Judgement, there being no other that found any thing near so great a sweet in the Government. For he who hath not been acquainted with affliction (saith *Seneca*) knoweth but half the things of this world.

Moreover they saw plainly, that to restore the ancient Government, they must cast up their Estates into the hands of three hundred men; wherefore in case the Senate, and the Prerogative consisting of thirteen hundred men, had
been

been all Royallists, there must of necessity have been, and be for ever, one thousand against this or any such Vote. But the Senate being informed by the Signory, that the *Archon* had accepted of his Dignity and Office, caused a third Chair to be set for his Highness, between those of the *Strategus*, and the Orator in the House, the like at every Council; to which he repaired, not of necessity, but at his pleasure, being the best, and as *Argus* not vainly said, the greatest Prince in the World; for in the Pomp of his Court he was not inferiour unto any, and in the Field he was followed with a force that was formidable unto all: Nor was there a cause in the Nature of this constitution, to put him unto the charge of Guards, spoyle his stomach, or his sleep: Insomuch as being handsomely disputed by the wits of the Academy, whether my Lord *Archon*, if he had been ambitious, could have made himself so great, it was carried clear in the Negative; not only for the Reasons drawn from the present ballance, which was Popular, but putting the case the ballance had been Monarchicall. For there be some Nations (whereof this is one) that will bear a Prince in a Common-wealth, far higher then it is possible for them to bear a Monarch. *Spain* looked upon the Prince of *Aurange* as her most formidable Enemy, but if ever there be a Monarch in that Country, he will be her best friend. For whereas a Prince in a Common-wealth, deriveth his greatnes from the root of the People, a Monarch deriveth his from one of those ballances which nip them in the root; by which means the *Low Countreyes* under a Monarch, were poor and inconsiderable, but in bearing a Prince could grow unto a miraculous height, and give the glory of his actions by far the upper hand of the greatest King in Christendome. There are Kings in *Europe*, to whom a King of *Oceana* would be but a *Petit Companion*. But the Prince of this Common-wealth is the terror, and the Judge of them all.

That which my Lord *Archon* now minded most, was the *Agrarian*, upon which debate he uncessantly thrust the Senate, and the Council of State, to the end it might be planted upon some firm root, as the main point and Basis of perpetuity unto the Common-wealth.

And these are some of the most remarkable Passages that happened in the first year of this Government. About the latter end of the second, the Army was disbanded, but the Taxes continued at thirty thousand pounds a month, for three years and an half. By which means a piece of Artillery was Planted, and a portion of Land to the value of 50*l.* a year purchased for the maintenance of the Games, and of the Priz-arms for ever, in each Hundred.

With

With the eleventh year of the Common-wealth, the terme of the Excise, allotted for the mayntenance of the Senate and the People, and for the raising of a Publique Revenue, expired. By which time the Exchequer over and above the annuall Salleryes, amounting unto three hundred thousand pounds, accumulating every year out of one Million income, Seaven hundred thousand pounds, in Bancho, brought it with the Product of the Summe, rising to about eight Millions in the whole, whereby at severall times they had purchased unto the Senate and the People, Foure hundred thousand pounds *per annum*, solid Revenue : which besides the Lands holden in *Panopea*, together with the Perquisites of either Province, was held sufficient for a publique Revenue. Neverthelesse, Taxes being now wholly taken off, the Excize of no great burthen, and many specious Advantages not vainly proposed in the heightening of the Publique Revenue, the Excise was very chearfully established by the Senate and the People, for the terme of ten years longer : and the same course being taken, the Publique Revenue was found in the One and twentieth of the Common-wealth, to be worth one Million in good Land ; Whereupon the Excise was so abolished for the present ; as with all resolved to be the best, the most fruitfull and easie way of raising Taxes, according unto future Exigencies. But the Revenue now such, as was able to be a yearly Purchaser, gave a jealousy that by this means the ballance of the Common-wealth, consisting in private Fortunes, might be eaten out ; whence this yeare is famous for that Law whereby the Senate & the People forbidding any farther Purchase of Lands unto the Publique, within the Dominions of *Oceana*, and the adjacent Provinces, put the *Agrarian* upon the Common-wealth her self. These encreases are things which men, addicted unto Monarchy, deride as impossible, whereby they unwarily urge a strong Argument, against that which they would defend : For having their eyes fixed upon the Pomp and Expence, by which not only every Child of a King being a Prince, exhausteth his Fathers Coffers ; but favorites and servile spirits devoted unto the flattery of those Princes, grow insolent and profuse, returning a fit Gratitude unto their Masters, whom while they hold it honourable to deceive, they suck and keep eternally poor. It followes that they doe not see how it should be possible for a Common-wealth to cloath herself in Purple, and thrive so strangely upon that which would make a Prince's haire grow through his hood, and not afford him bread. As if it were a Miracle that a careless and Prodigall Man should bring ten thousand pounds a year

year to nothing, or that an industrious and frugall Man brings a little unto ten thousand pounds a year. But the fruit of a mans industry and frugality, can never be like that of a Common-wealth, first because the Greatnesse of the encrease, followes the greatnesse of the Stock or principall : and secondly, because a fringall Father is for the most part succeeded by a Lavish Son, whereas a Common-wealth is her owne Heire.

This year a part was proposed by the Right Honourable *Aureus de Woolfacke* in the Tribe of *Pecus*, first Commissioner of the Treasury ; unto the Council of State, which soon after past the ballot of the Senate and the People : by which the Lands of the Publique Revenue amounting unto one Million, were equally divided into five thousand Lots, enter'd by their names and parcells into a Lot-booke preserved in the Exchequer : and if any Orphant being a Mayd should cast her Estate into the Exchequer for Fourteen hundred pounds, the Treasury was bound by the Law to pay her quarterly Two hundred pounds a yeare, free from Taxes for her Life, and to assigne her a Lot for her Security ; if she married, her Husband was neither to take ont the Principall without her consent (acknowledged by her selfe unto one of the Commissioners of the Treasury who according as he found it to be free, or forced, was to allow or disallow of it) nor any other way engage it, then to her propper use : But if the Principall were taken out, the Treasury was not bound to repay any more of it then One thousand pounds ; nor might be repay'd at any time, save within the first year of the Marriage : the like was to be done by a halfe or quarter Lot respectively.

This was found to be a great Charity unto the weaker Sex, and as some say, who are more skilfull in like Affairs then my self, of good Profit to the Common-wealth.

Now began the Native Spleen of *Oceana* to be much purged, and men not to affect sullenness and Pedantisme. The Elders could remember that they had been Youth. Wit and Gallantry were so far from being thought Crimes in themselves, that care was taken to preserve their innocence. For which cause it was proposed unto the Council for Religion, by the Right Honourable *Cadiscus de Clero*, in the Tribe of *Stammum*, first Censor, That such women as living in Gallantry and view about the Town, were of evil fame, and could not shew that they were maintained by their own Estates or Industry ; or such as having Estates of their own, were yet wastfull in their way of life, unto others, should be obnoxious unto the animadversion of the Council of Religion, or of the Censors : In which the proceeding should

should be after this manner. Notice should be first given of the scandall, unto the party offending, in private; if there were no amendment within the space of six Months, she should be summoned and rebuked before the said Council or Censors: And if after other six Moneths it were found that neither this avayled, She should be Censured not to appear at any Publick Meetings, Games or Recreations, upon Penalty of being taken up by the Door-keepers, or Guards of the Senate, and by them to be detained, untill for every such offence, five pounds were duly paid for her enlargement.

Furthermore, if any Common-Struinpert should be found, or any scurrility or prophanesse represented at either of the Theaters, the Prelates for every such offence should be fined Twenty pounds, by the said Council, and the Poet for every such offence on his part, should be whipt. This Law relates unto another, which also was enacted the same year upon this occasion.

The Youth and Wits of the Academy having put the business so home in the defence of Comedies, that the Provosts had nothing but the Consequences provided against by the fore-going Law to object, prevailed so far, that two of the Provosts of the Council of State, joyn'd in a Proposition, which after much adoe came to a Law, whereby one hundred thousand pounds was allotted for the building of two Theaters, one on each side of the *Piazza* of the *Halo*, and two annuall Magistrates called Prelates, chosen out of the Knights, were added unto the Tropick, the one called the Prelate of the *Buskin*, for inspection of the Tragick Scene called *æetpomenæ*, and the other the Prelate of the *Socke*, for the Comick called *Thalia*, which Magistrates had each of them five hundred pounds a year, allowed out of the Profits of the Theaters, the rest (except 800 a year to four Poets) payable into the Exchequer. A Poet *Laureate* created in one of these Theaters, by the *Strategus* receives a wreath of five hundred Pounds in Gold, paid out of the said Profits. But no man is capable of this Creation, that had not two parts in three of the Suffrages at the Academy, assembled after six weeks warning, and upon that occasion.

These things among us are sure enough to be censured, but by such only as doe not know the nature of a Commonwealth; for to tell men that they are free, and yet to curb the genius of a People in a lawfull Recreation unto which they are naturally inclined, is to tell a tale of a Tub. I have heard the Protestant Ministers in *France*, by men that were wise, and of their own profession, much blamed in that they forbad Dancing, a Recreation to which the genius of that

aire is so enclining, that they lost many who would not loose that; nor doe they lesse then blame the former determination of rashnesse, who now gently connive at that which they had so roughly forbidden. These sports in *Oceana* are so Governed, that they are pleasing for private diversion, and profitable unto the Publique: For the Theaters soon defrayed their own Charge, and now bring in a good Revenue. All this so far from the Detriment of virtue, that it is to the improvement of it, seeing Women that heretofore made havock of their Honours, that they might have their pleasures, are now incapable of their pleasures, if they loose their Honours.

About the one and fortieth year of the Common-wealth, the Censors according unto their Annuall Custome, reported the Pillar of *Nilus*, by which it was found that the People were encreased very near one third. Whereupon the Council of War was appointed by the Senate to bring in a State of War, and the Treasurers the State of the Treasury. The State of War, or Pay, and Charge of an Army, was soon after exhibited by the Council, in this Accompt.

The Field Pay of a Parlaментарy Army.

	L. per ann.
<i>The Lord Strategus, Marching</i> —————	0010000
<i>Polymarches: { Generall of the Horse</i> —————	0002000
<i>{ Lievtenant-Generall</i> —————	0002000
<i>{ Generall of the Artigliery</i> —————	0001000
<i>{ Commissary-Generall</i> —————	0001000
<i>{ Major-Generall</i> —————	0001000
<i>{ Quarter-Master-Generall</i> —————	0001000
<i>Two Adjutants to the Major Generall</i> —————	0001000
<i>Forty Colonells</i> —————	0040000
<i>100 Captaines of Horse, at 500. l. a man</i> —————	0050000
<i>300 Captaines of Foot, at 300. l. a man</i> —————	0090000
<i>100 Cornets, at 100. l. a man</i> —————	0010000
<i>300 Ensignes, at 50. l. a man</i> —————	0015000
<i>800 { Quarter-Masters</i> —————	
<i>{ Serjants</i> —————	0020000
<i>{ Trumpeters</i> —————	
<i>{ Drummers</i> —————	
<i>10000 Horse, at 2. s. 6. d. a day each</i> —————	0470000
<i>30000 Foot, each at 1. s. the day</i> —————	0500000
<i>Chyrurgeons</i> —————	0000400
<i>Sum</i> —————	1114400
	40000 Auxil-

40000 Auxiliaries, amounting } unto (within alittle as much }	1100000
The Charge of mounting 20000 Horfe —————	0300000
The Trayne of Artigliery, holding a 3 ^d to the whole —————	0900000
Summa totalis —————	2414400

Armes and Ammunition are not reckoned, as those which are furnisht out of the Store or *Arsenall* of *Emporium*. Nor Waftage, as that which goes upon the Accompt of the Fleet, maintained by the Customes, which Customes through the Care of the Council for Trade, and growth of Traffique, were long since improved unto about a Million Revenue. The Houle being informed of a State of War, the Commissioners brought in

The State of the Treasury this present year, being the One and fortieth of the Common-wealth.

Received from the one and twentieth of this } L.
Common-wealth, by 700000. l. a year in } 16000000
bank, with the Product of the sum rising ——— }

Expended from the one and twentieth of this Common-wealth.

I <i>mprimis</i> , For the Addition of Arms for } 100000 Men, unto the <i>Arsenall</i> , or Tower } of <i>Emporium</i> ————— }	01000000
For the storing of the same with Artigliery ———	00300000
For the storing of the same with Ammunition ———	00200000
For beautifying the Cities, Parks, Gardens, Publick Walks, and Places for Recreation, of <i>Emporium</i> and <i>Kiera</i> , with Publick Buildings, Aquaducts, Statues, and Foun- taines, &c. ————— }	01500000
Extraordinary Embassies —————	00150000
Sum —————	03150000

Remaining in the Treasury, the Salaries of the }
Exchequer being defaultked ————— } 12000000

By Comparison of which Accompts, if a War with an Army of 80000 Men were to be made by the penny, yet was the Common-wealth able to maintain such an one above three years, without levying a Tax. But it is against all experience, sense and reason, that such an Army should not be soon broken, or make a great Progresse; in either of which Cases the Charge seafeth, or rather if a right course be taken in the latter, Profit comes in; for the *Romans* had no other considerable way, but Victory, whereby to fill their Treasury, which neverthelesse was seldome empty. *Alexander* did not consult his Purse, upon his designe for *Persia*. It is observed by *Machiavill*, that *Livy* arguing what the event in reason must have been, had that King invaded *Rome*, and diligently measuring what on each side was necessary unto such a War, never speaks a word of Money. No man imagines, that the *Gaules*, *Gothes*, *Vandalls*, *Huns*, *Lombards*, *Saxons*, *Normans*, made their inroads or Conquests by the strength of the Purse; and if it be thought enough according unto the Dialect of our age, to say in Answer unto these things, that those times are past and gone. What money did the late *Gustavus*, the most victorious of modern Princes, bring out of *Sweden* with him into *Germany*? An Army that goes upon a golden Leg, will be as lame as if it were a wooden one; but proper Horses have Nerves and Muscles in them, such for which having four or five Millions, a sum easie, with a Revenue like this of *Oceana*, to be had at any time in readinesse, you need never, or very rarely Charge the people with Taxes. What influence the Common-wealth by such Arms hath had, upon the world, I leave unto Historians, whose custome it hath been of old, to be as diligent Observers of Forraigne Actions, as carelesse of those Domestique Revolutions, which (lesse pleasant it may be, as not partaking so much of the *Romance*) are unto Statesmen of far greater profit; and this fault if it be not mine, is so much more frequent with Modern Writers, as hath caused me to undertake this work, on which to give my own judgement, it is performed as much above the time I have been about it, as below the dignity of the matter.

But I cannot depart out of this Country, till I have taken leave of my Lord *Archon*, a Prince of immense felicity, who having built as high with his Councils, as he digg'd deep with his Sword, had now seen fifty years measured with his own unerring Orbes.

Plutarch in the Life of Timoleon. *Timoleon*, so great a hater of Tyrants, that not able to disswade his Brother *Timophanes*, to relinquish the Tyranny of *Corinth*, he slew him; was afterwards Elected by the People, (the *Sicilians* groaning unto them from under the like burden)

den) to be sent unto their relief: Whereupon *Teleclides* the Man at that time of most Authority in the Commonwealth of *Corinth*, stood up, and giving an Exhortation unto *Timoleon*, how he should behave himself in his Expedition, told him that if he restored the *Sicilians* unto Liberty, it would be acknowledged that he had destroyed a Tyrant; if otherwise, he must expect to hear that he had murdered a King. *Timoleon* taking his leave, with a very small Provision for so great a design, pursued it with a Courage not inferior to, and a felicity beyond any that had been known unto that day in mortall flesh, having in the space of eight years utterly rooted out of all *Sicely*, those Weeds of Tyranny, through the destruction whereof Men fled in such abundance from their Native Country, that whole Cities were left desolate; and brought it unto such a passe, that others through the fame of his Virtues, and the excellency of the soyle, flockt as fast from all Quarters unto it, as to the Garden of the World. While he being presented by the people of *Syracusa*, with his Town house, and his Country retreat, the sweetest Places in either, lived with his Wife and Children, a most quiet, happy, and holy life; for he attributed no part of his successe unto himself, but all unto the blessing and providence of the Gods. As he past his time in this manner, admired and honoured by mankind, *Laphystius* an envious *Demagog*, going to summon him upon some pretence or other, to answer for himself before the Assembly, the people fell into such a Mutiny, as could not be appeased but by *Timoleon*, who understanding the matter, reprov'd them, by repeating the pains and travail which he had gone through, unto no other end then that every Man might have the free use of the Lawes. Wherefore when *Demane-tius* another *Demagog*, had brought the same design about again, and blamed him impertinently unto the people, for things which he did when he was General, *Timoleon* answered nothing, but raising up his hands, gave the Gods thanks for their return unto his frequent prayers, that he might but live to see the *Syracusans* so free, that they might question whom they pleased.

Not long after being old, through some naturall imperfection, he fell blind; but the *Syracusans* by their perpetuall visits held him, though he could not see, their greatest object; if there arriv'd strangers, they brought them to see this sight. Whatever came in debate at the assembly, if it were of small consequence, they determin'd it themselves, but if of importance, they alwayes sent for *Timoleon*, who being brought by his Servants in a Chair, and set in the middle of the Theater, there ever follow'd a great shout,
after

after which some time was allow'd for the Benedictions of the People; and then the matter propos'd when *Timolcon* had spoken to it, was put to the Suffrage, which given, his Servants bore him back in his Chair, accompanied by the People, clapping their hands, and making all expressions of joy and applause, till leaving him at his house, they return'd unto the dispatch of their business. And this was the life of *Thimoleon*, till he dyed of age, and dropped like a mature fruit, while the eyes of the people, were as the showres of Autumne.

The Life and Death of my Lord *Archon*, save that he had his senses unto the last, and that his Character is not the Restorer, but the Founder of a Common-wealth, was greater, is so exactly the same again, that (seeing by Men wholly ignorant of Antiquity, I am accused of writing *Romance*) I shall repeat nothing; but tell you that this year the whole Nation of *Oceana*, even unto the women and children, was in mourning, where so great or sad a pomp of Funerall, had never been seen or known. Sometime after the performance of the Exequies, a *Colossus* mounted upon a brazen Horse, of excellent Fabrick, was erected in the *Piazza* of the *Pantheon*, ingrav'd with this Inscription on the Eastern side of the Pedestall.

H I S

NAME

I S A S

Precious Oyntment.

And on the Western, with this.

Grata

Grata Patra

Piæ et perpetuæ memoriæ

D. D.

Olphaus Megaletor

Lord Archon, and sole Legislator

of

O C E A N A.

Pater Patriæ.

Invincible in the Field.

Inviolable in his Faith.

Unfained in his Zeale.

Immortall in his Fame.

The Greateſt of Captaines.

The Beſt of Princes.

The Happieſt of Legislators.

The Moſt Sincere of Chriſtians.

*Who ſetting the Kingdomes of the Earth at Liberty,
Tooke the Kingdome of the Heav'ns by Violence.*

Anno { *Ætat: ſuæ: 116.*
 { *Hujus Reipub: 50.*

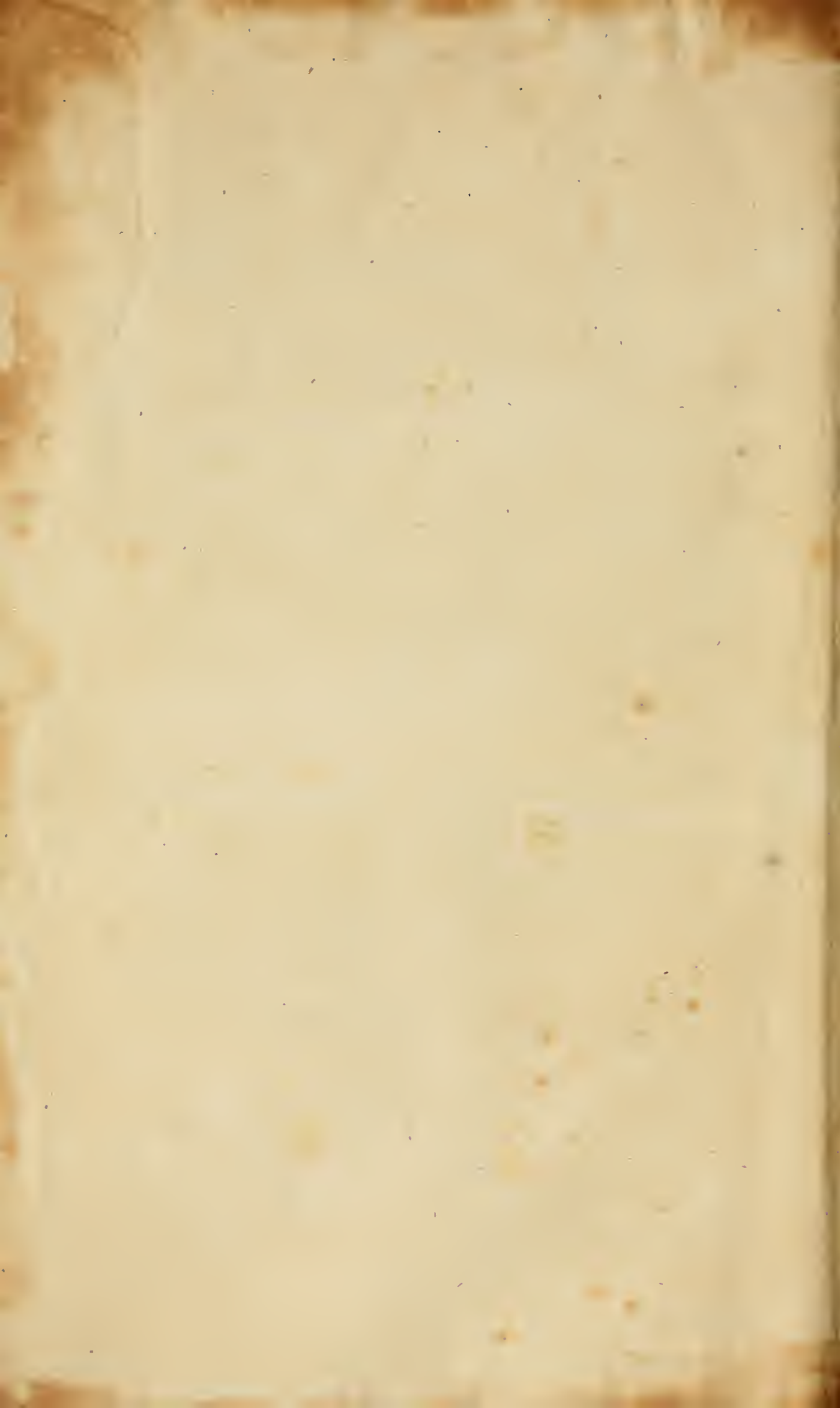
О С Е Н Ъ

1. The first part of the book is a general introduction to the study of the history of the world, from the beginning of time to the present day. It covers the major events and figures of world history, and discusses the different ways in which historians have interpreted the past.

1852

It is the duty of the Government to protect the rights of the people by violence.

2. *Thymus* *serpyllifolius* L.
 3. *Thymus* *maritimus* L.



572

